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REPRESENTATIVE

AMERICAN ORATIONS

TO ILLUSTRATE

AMERICAN POLITICAL HISTORY

EDITED, WITH INTRODUCTIONS

BY

ALEXANDER JOHNSTON

LATE PROFESSOR OF JURISPRUDENCE AND POLITICAL ECONOMY IN THE COLLEGE OF NEW JERSEY

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V.

THE ANTI-SLAVERY STRUGGLE.

(CONTINUED FROM VOLUME II.)

ABRAHAM LINCOLN,

OF ILLINOIS.

(BORN 1809, DIED 1865.)

ON HIS NOMINATION TO THE UNITED STATES SENATE, AT THE REPUBLICAN STATE CONVENTION, SPRINGFIELD, ILLS., JUNE 17, 1858.

MR. PRESIDENT AND GENTLEMEN OF THE CONVENTION:

If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year since a policy was initiated with the avowed object, and confident promise, of putting an end to slavery agitation. Under the operation of that policy, that agitation not only has not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have been reached and passed. "A house divided against itself cannot stand." I believe this Government cannot endure permanently half slave and half free. I do not ex-

pect the Union to be dissolved ; I do not expect the house to fall ; but I do expect that it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction ; or its advocates will push it forward till it shall become alike lawful in all the States, old and new, North as well as South. Have we no tendency to the latter condition? Let any one who doubts carefully contemplate that now almost complete legal combination-piece of machinery, so to speak—compounded of the Nebraska doctrine and the Dred Scott decision. Let him consider not only what work the machinery is adapted to do, and how well adapted, but also let him study the history of its construction, and trace, if he can, or rather fail, if he can, to trace the evidences of design and concert of action among its chief architects from the beginning.

The new year of 1854 found slavery excluded from more than half the States by State constitutions, and from most of the national territory by Congressional prohibition. Four days later commenced the struggle which ended in

repealing that Congressional prohibition. This opened all the national territory to slavery, and was the first point gained. But, so far, Congress only had acted, and an indorsement, by the people, real or apparent, was indispensable, to save the point already gained and give chance for more. This necessity had not been overlooked, but had been provided for, as well as might be, in the notable argument of "squatter sovereignty," otherwise called "sacred right of self-government";—which latter phrase though expressive of the only rightful basis of any government, was so perverted in this attempted use of it as to amount to just this: That, if any *one* man choose to enslave *another*, no *third* man shall be allowed to object. That argument was incorporated with the Nebraska bill itself, in the language which follows: "It being the true intent and meaning of this act, not to legislate slavery into any Territory or State, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." Then opened the roar of loose declamation in favor of "squatter sovereignty," and "sacred right of self-govern-

ment." "But," said opposition members, "let us amend the bill so as to expressly declare that the people of the Territory *may* exclude slavery." "Not we," said the friends of the measure; and down they voted the amendment.

While the Nebraska bill was passing through Congress, a *law-case*, involving the question of a negro's freedom, by reason of his owner having voluntarily taken him first into a free State, and then into a Territory covered by the Congressional prohibition, and held him as a slave for a long time in each, was passing through the United States Circuit Court for the District of Missouri; and both Nebraska bill and lawsuit were brought to a decision in the same month of May, 1854. The negro's name was Dred Scott, which name now designates the decision finally made in the case. Before the then next Presidential election, the law-case came to, and was argued in, the Supreme Court of the United States; but the decision of it was deferred until after the election. Still, before the election, Senator Trumbull, on the floor of the Senate, requested the leading advocate of the Nebraska bill to state his *opinion* whether the people of a Territory can constitutionally exclude slavery

from their limits; and the latter answers: "That is a question for the Supreme Court."

The election came, Mr. Buchanan was elected, and the indorsement, such as it was, secured. That was the second point gained. * * * The Supreme Court met again, did not announce their decision, but ordered a re-argument. The Presidential inauguration came, and still no decision of the court; but the incoming President, in his inaugural address, fervently exhorted the people to abide by the forthcoming decision, whatever it might be. Then, in a few days, came the decision. The reputed author of the Nebraska bill finds an early occasion to make a speech at this capital, indorsing the Dred Scott decision, and vehemently denouncing all opposition to it. The new President, too, seizes the early occasion of the Silliman letter to indorse and strongly construe that decision, and to express his astonishment that any different view had ever been entertained.

At length a squabble springs up between the President and the author of the Nebraska bill, on the mere question of fact, whether the Lecompton constitution was, or was not, in any just sense, made by the people of Kansas; and in that quarrel the latter declares that all he

wants is a fair vote for the people, and that he cares not whether slavery be voted *down* or voted *up*. I do not understand his declaration, that he cares not whether slavery be voted down or voted up, to be intended by him other than as an apt definition of the policy he would impress upon the public mind—the principle for which he declares he has suffered so much, and is ready to suffer to the end. And well may he cling to that principle. If he has any parental feeling, well may he cling to it. That principle is the only shred left of his original Nebraska doctrine. Under the Dred Scott decision, squatter sovereignty squatted out of existence—tumbled down like temporary scaffolding—like the mould at the foundry, served through one blast, and fell back into loose sand,—helped to carry an election, and then was kicked to the winds. * * *

The several points of the Dred Scot decision, in connection with Senator Douglas' "care-not" policy, constitute the piece of machinery in its present state of advancement. This was the third point gained. The working points of that machinery are: (1) That no negro slave, imported as such from Africa, and no descendant of such slave, can ever be a citizen of any

State, in the sense of that term as used in the Constitution of the United States. This point is made in order to deprive the negro, in every possible event, of the benefit of that provision of the United States Constitution, which declares that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States." (2) That, "subject to the Constitution of the United States," neither Congress nor a Territorial Legislature can exclude slavery from any United States Territory. This point is made in order that individual men may fill up the Territories with slaves, without danger of losing them as property, and thus to enhance the chances of permanency to the institution through all the future. (3) That whether the holding a negro in actual slavery in a free State makes him free, as against the holder, the United States courts will not decide, but will leave to be decided by the courts of any slave State the negro may be forced into by the master. This point is made, not to be pressed immediately; but, if acquiesced in for a while, and apparently indorsed by the people at an election, then to sustain the logical conclusion that what Dred Scott's master might lawfully do with Dred Scott, in the

State of Illinois, every other master may lawfully do with any other one or one thousand slaves, in Illinois, or in any other free State.

Auxiliary to all this, and working hand in hand with it, the Nebraska doctrine, or what is left of it, is to educate and mould public opinion, at least Northern public opinion, not to care whether slavery is voted down or voted up. This shows exactly where we now are, and partially, also, whither we are tending.

It will throw additional light on the latter to go back, and run the mind over the string of historical facts already stated. Several things will now appear less dark and mysterious than they did when they were transpiring. The people were to be left "perfectly free." "subject only to the Constitution." What the Constitution had to do with it, outsiders could not then see. Plainly enough now, it was an exactly fitted niche for the Dred Scott decision to come in afterward, and declare the perfect freedom of the people to be just no freedom at all. * * * Why was the court decision held up? Why even a Senator's individual opinion withheld till after the Presidential election? Plainly enough now: the speaking out then would have damaged the perfectly free argu-

ment upon which the election was to be carried. Why the outgoing President's felicitation on the indorsement? Why the delay of a re-argument? Why the incoming President's advance exhortation in favor of the decision? These things look like the cautious patting and petting of a spirited horse preparatory to mounting him, when it is dreaded that he may give the rider a fall. * * *

We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places, and by different workmen—Stephen, Franklin, Roger, and James, for instance,—and when we see these timbers joined together, and see that they exactly make the frame of a house or a mill, all the tenons and mortices exactly fitting, and all the lengths and proportions of the different pieces exactly adapted to their respective places, and not a piece too many or too few—not omitting even scaffolding,—or, if a single piece be lacking, we see the place in the frame exactly fitted and prepared yet to bring such piece in, —in such a case, we find it impossible not to believe that Stephen and Franklin and Roger

and James all understood one another from the beginning, and all worked upon a common plan or draft drawn up before the first blow was struck.

It should not be overlooked that, by the Nebraska bill, the people of a *State*, as well as Territory, were to be left "perfectly free," "subject only to the Constitution." Why mention a State? They were legislating for Territories, and not for or about States. Certainly, the people of a State are and ought to be subject to the Constitution of the United States; but why is mention of this lugged into this merely Territorial law? Why are the people of a Territory and the people of a State therein lumped together, and their relation to the Constitution therein treated as being precisely the same? While the opinion of the court, by Chief-Justice Taney, in the Dred Scott case, and the separate opinions of all the concurring judges, expressly declare that the Constitution of the United States permits neither Congress nor a Territorial Legislature to exclude slavery from any United States Territory, they all omit to declare whether or not the same Constitution permits a State, or the people of a State, to exclude it. *Possibly*, this

is a mere omission. * * * The nearest approach to the point of declaring the power of a State over slavery is made by Judge Nelson. He approaches it more than once, using the precise idea, and almost the language, too, of the Nebraska act. On one occasion, his exact language is: "Except in cases when the power is restrained by the Constitution of the United States, the law of the State is supreme over the subjects of slavery within its jurisdiction." In what cases the power of the States is so restrained by the United States Constitution is left an open question, precisely as the same question, as to the restraint on the power of the Territories, was left open in the Nebraska act. Put this and that together, and we have another nice little niche, which we may, erelong, see filled with another Supreme Court decision, declaring that the Constitution of the United States does not permit a *State* to exclude slavery from its limits. And this may especially be expected if the doctrine of "care not whether slavery be voted down or voted up," shall gain upon the public mind sufficiently to give promise that such a decision can be maintained when made.

Such a decision is all that slavery now lacks of

being alike lawful in all the States. Welcome or unwelcome, such decision is probably coming, and will soon be upon us, unless the power of the present political dynasty, shall be met and overthrown. We shall lie down pleasantly dreaming that the people of Missouri are on the verge of making their State free, and we shall awake to the reality, instead, that the Supreme Court has made Illinois a slave State. To meet and overthrow that dynasty is the work before all those who would prevent that consummation. That is what we have to do. How can we best do it?

There are those who denounce us openly to their own friends, and yet whisper us softly that Senator Douglas is the aptest instrument there is with which to effect that object. They wish us to *infer* all, from the fact that he now has a little quarrel with the present head of the dynasty; and that he has regularly voted with us on a single point, upon which he and we have never differed. They remind us that he is a great man, and that the largest of us are very small ones. Let this be granted. "But a living dog is better than a dead lion." Judge Douglas, if not a dead lion, for this work, is at least a caged and toothless one. How can he

oppose the advances of slavery? He don't care any thing about it. His avowed mission is impressing the "public heart" to care nothing about it. * * * Senator Douglas holds, we know, that a man may rightfully be wiser to-day than he was yesterday—that he may rightfully change when he finds himself wrong. But can we, for that reason, run ahead, and infer that he will make any particular change, of which he himself has given no intimation? Can we safely base our action upon any such vague inference? Now, as ever, I wish not to misrepresent Judge Douglas' position, question his motives, or do aught that can be personally offensive to him. Whenever, if ever, he and we can come together on principle, so that our cause may have assistance from his great ability, I hope to have interposed no adventitious obstacle. But, clearly, he is not now with us—he does not pretend to be, he does not promise ever to be.

Our cause, then, must be entrusted to, and conducted by its own undoubted friends—those whose hands are free, whose hearts are in the work—who *do care* for the result. Two years ago the Republicans of the nation mustered over thirteen hundred thousand strong. We did this under the single impulse of resistance to a

common danger. With every external circumstance against us, of strange, discordant, and even hostile elements, we gathered from the four winds, and formed and fought the battle through, under the constant hot fire of a disciplined, proud, and pampered enemy. Did we brave all then, to falter now?—now, when that same enemy is wavering, dissevered, and belligerent? The result is not doubtful. We shall not fail—if we stand firm, we *shall not fail*. Wise counsels may accelerate, or mistakes delay it; but, sooner or later, the victory is sure to come.

STEPHEN ARNOLD DOUGLAS,

OF ILLINOIS.

(BORN 1813, DIED 1861.)

IN REPLY TO MR. LINCOLN; FREEPORT, ILLS., AUGUST 27, 1858.

LADIES AND GENTLEMEN:

I am glad that at last I have brought Mr. Lincoln to the conclusion that he had better define his position on certain political questions to which I called his attention at Ottawa. * * * In a few moments I will proceed to review the answers which he has given to these interrogatories; but, in order to relieve his anxiety, I will first respond to those which he has presented to me. Mark you, he has not presented interrogatories which have ever received the sanction of the party with which I am acting, and hence he has no other foundation for them than his own curiosity.

First he desires to know, if the people of Kansas shall form a constitution by means en-

tirely proper and unobjectionable, and ask admission as a State, before they have the requisite population for a member of Congress, whether I will vote for that admission. Well, now, I regret exceedingly that he did not answer that interrogatory himself before he put it to me, in order that we might understand, and not be left to infer, on which side he is. Mr. Trumbull, during the last session of Congress, voted from the beginning to the end against the admission of Oregon, although a free State, because she had not the requisite population for a member of Congress. Mr. Trumbull would not consent, under any circumstances, to let a State, free or slave, come into the Union until it had the requisite population. As Mr. Trumbull is in the field fighting for Mr. Lincoln, I would like to have Mr. Lincoln answer his own question and tell me whether he is fighting Trumbull on that issue or not. But I will answer his question. * * * Either Kansas must come in as a free State, with whatever population she may have, or the rule must be applied to all the other Territories alike. I therefore answer at once that, it having been decided that Kansas has people enough for a slave State, I hold that she has enough for a

free State. I hope Mr. Lincoln is satisfied with my answer; and now I would like to get his answer to his own interrogatory—whether or not he will vote to admit Kansas before she has the requisite population. I want to know whether he will vote to admit Oregon before that Territory has the requisite population. Mr. Trumbull will not, and the same reason that commits Mr. Trumbull against the admission of Oregon commits him against Kansas, even if she should apply for admission as a free State. If there is any sincerity, any truth, in the argument of Mr. Trumbull in the Senate against the admission of Oregon, because she had not 93,420 people, although her population was larger than that of Kansas, he stands pledged against the admission of both Oregon and Kansas until they have 93,420 inhabitants. I would like Mr. Lincoln to answer this question. I would like him to take his own medicine. If he differs with Mr. Trumbull, let him answer his argument against the admission of Oregon, instead of poking questions at me.

The next question propounded to me by Mr. Lincoln is, Can the people of the Territory in any lawful way, against the wishes of any citizen of the United States, exclude slavery from

their limits prior to the formation of a State Constitution? I answer emphatically, as Mr. Lincoln has heard me answer a hundred times from every stump in Illinois, that in my opinion the people of a Territory *can*, by lawful means, exclude slavery from their limits prior to the formation of a State Constitution. Mr. Lincoln knew that I had answered that question over and over again. He heard me argue the Nebraska bill on that principle all over the State in 1854, in 1855, and in 1856; and he has no excuse for pretending to be in doubt as to my position on that question. It matters not what way the Supreme Court may hereafter decide as to the abstract question whether slavery may or may not go into a Territory under the Constitution; the people have the lawful means to introduce it or exclude it as they please, for the reason that slavery cannot exist a day or an hour anywhere unless it is supported by local police regulations. Those police regulations can only be established by the local Legislature; and, if the people are opposed to slavery, they will elect representatives to that body who will by unfriendly legislation effectually prevent the introduction of it into their midst. If, on the contrary, they are for it, their legislation will

favor its extension. Hence, no matter what the decision of the Supreme Court may be on that abstract question, still the right of the people to make a slave Territory or a free Territory is perfect and complete under the Nebraska bill. I hope Mr. Lincoln deems my answer satisfactory on that point.

In this connection, I will notice the charge which he has introduced in relation to Mr. Chase's amendment. I thought that I had chased that amendment out of Mr. Lincoln's brain at Ottawa; but it seems that it still haunts his imagination, and that he is not yet satisfied. I had supposed that he would be ashamed to press that question further. He is a lawyer, and has been a member of Congress, and has occupied his time and amused you by telling you about parliamentary proceedings. He ought to have known better than to try to palm off his miserable impositions upon this intelligent audience. The Nebraska bill provided that the legislative power and authority of the said Territory should extend to all rightful subjects of legislation, consistent with the organic act and the Constitution of the United States. It did not make any exception as to slavery, but gave all the power that it was possible

for Congress to give, without violating the Constitution, to the Territorial Legislature, with no exception or limitation on the subject of slavery at all. The language of that bill, which I have quoted, gave the full power and the fuller authority over the subject of slavery, affirmatively and negatively, to introduce it or exclude it, so far as the Constitution of the United States would permit. What more could Mr. Chase give by his amendment? Nothing! He offered his amendment for the identical purpose for which Mr. Lincoln is using it, to enable demagogues in the country to try and deceive the people. His amendment was to this effect. It provided that the Legislature should have power to exclude slavery; and General Cass suggested: "Why not give the power to introduce as well as to exclude?" The answer was—they have the power already in the bill to do both. Chase was afraid his amendment would be adopted if he put the alternative proposition, and so made it fair both ways, and would not yield. He offered it for the purpose of having it rejected. He offered it, as he has himself avowed over and over again, simply to make capital out of it for the stump. He expected that it would be capital for small politicians in the coun-

try, and that they would make an effort to deceive the people with it; and he was not mistaken, for Lincoln is carrying out the plan admirably. * * *

The third question which Mr. Lincoln presented is—If the Supreme Court of the United States shall decide that a State of this Union cannot exclude slavery from its own limits, will I submit to it? I am amazed that Mr. Lincoln should ask such a question. Mr. Lincoln's object is to cast an imputation upon the Supreme Court. He knows that there never was but one man in America, claiming any degree of intelligence or decency, who ever for a moment pretended such a thing. It is true that the Washington *Union*, in an article published on the 17th of last December, did put forth that doctrine, and I denounced the article on the floor of the Senate. * * * Lincoln's friends, Trumbull, and Seward, and Hale, and Wilson, and the whole Black Republican side of the Senate were silent. They left it to me to denounce it. And what was the reply made to me on that occasion? Mr. Toombs, of Georgia, got up and undertook to lecture me on the ground that I ought not to have deemed the article worthy of notice, and ought not to have replied to it; that there was

not one man, woman, or child south of the Potomac, in any slave State, who did not repudiate any such pretension. Mr. Lincoln knows that reply was made on the spot, and yet now he asks this question! He might as well ask me—Suppose Mr. Lincoln should steal a horse, would I sanction it; and it would be as genteel in me to ask him, in the event he stole a horse, what ought to be done with him. He casts an imputation upon the Supreme Court of the United States, by supposing that they would violate the Constitution of the United States. I tell him that such a thing is not possible. It would be an act of moral treason that no man on the bench could ever descend to. Mr. Lincoln himself would never, in his partisan feelings, so far forget what was right as to be guilty of such an act.

The fourth question of Mr. Lincoln is—Are you in favor of acquiring additional territory in disregard as to how such acquisition may affect the Union on the slavery question? This question is very ingeniously and cunningly put. The Black Republican crowd lays it down expressly that under no circumstances shall we acquire any more territory unless slavery is first prohibited in the country. I ask Mr. Lincoln

whether he is in favor of that proposition? Are you opposed to the acquisition of any more territory, under any circumstances, unless slavery is prohibited in it? That he does not like to answer. When I ask him whether he stands up to that article in the platform of his party, he turns, Yankee fashion, and, without answering it, asks me whether I am in favor of acquiring territory without regard to how it may affect the Union on the slavery question. I answer that, whenever it becomes necessary, in our growth and progress, to acquire more territory, I *am* in favor of it without reference to the question of slavery, and when we have acquired it, I will leave the people free to do as they please, either to make it slave or free territory, as they prefer. It is idle to tell me or you that we have territory enough. * * * With our natural increase, growing with a rapidity unknown in any other part of the globe, with the tide of emigration that is fleeing from despotism in the old world to seek refuge in our own, there is a constant torrent pouring into this country that requires more land, more territory upon which to settle; and just as fast as our interest and our destiny require additional territory in the North, in the South, or in the

islands of the ocean, I am for it, and, when we acquire it, will leave the people, according to the Nebraska bill, free to do as they please on the subject of slavery and every other question.

I trust now that Mr. Lincoln will deem himself answered on his four points. He racked his brain so much in devising these four questions that he exhausted himself, and had not strength enough to invent the others. As soon as he is able to hold a council with his advisers, Lovejoy, Farnsworth, and Fred Douglas, he will frame and propound others ("Good," "good!"). You Black Republicans who say "good," I have no doubt, think that they are all good men. I have reason to recollect that some people in this country think that Fred Douglas is a very good man. The last time I came here to make a speech, while talking from a stand to you, people of Freeport, as I am doing to-day, I saw a carriage, and a magnificent one it was, drive up and take a position on the outside of the crowd; a beautiful young lady was sitting on the box seat, whilst Fred Douglas and her mother reclined inside, and the owner of the carriage acted as driver. I saw this in your own town. ("What of it?") All I have to say of it is this, that if you Black Republicans

think that the negro ought to be on a social equality with your wives and daughters, and ride in a carriage with your wife, whilst you drive the team, you have a perfect right to do so. I am told that one of Fred Douglas' kinsmen, another rich black negro, is now travelling in this part of the State making speeches for his friend Lincoln as the champion of black men. ("What have you to say against it?") All I have to say on that subject is, that those of you who believe that the negro is your equal, and ought to be on an equality with you socially, politically, and legally, have a right to entertain those opinions, and of course will vote for Mr. Lincoln.

JOHN CABELL BRECKENRIDGE.

OF KENTUCKY.

(BORN 1821, DIED 1875.)

ON THE DRED SCOTT DECISION, BEFORE THE KENTUCKY LEGISLATURE, DECEMBER, 1859.

THE election took place on Monday. The day before I received a letter signed by a number of gentlemen in the Legislature asking my opinion in reference to the Dred Scott decision, in reference to Territorial sovereignty and the power of Congress to protect the property of citizens within the Territories. I received that letter with profound respect, and only regret that it did not come to my hands in time, that I might answer it before the election. * * *

Gentlemen, I bow to the decision of the Supreme Court of the United States upon every question within its proper jurisdiction, whether it corresponds with my private opinion or not; only, I bow a trifle lower when it happens to do so, as the decision in this Dred Scott case does.

I approve it in all its parts as a sound exposition of the law and constitutional rights of the States, and citizens that inhabit them.

* * * I was in the Congress of the United States when that Missouri line was repealed. I never would have voted for any bill organizing the Territory of Kansas as long as that odious stigma upon our institutions remained upon the statute book. I voted cheerfully for its repeal, and in doing that I cast no reflection upon the wise patriots who acquiesced in it at the time it was established. It was repealed, and we passed the act known as the Kansas-Nebraska bill. The Abolition, or *quasi* Abolition, party of the United States were constantly contending that it was the right of Congress to prohibit slavery in the common Territories of the Union. The Democratic party, aided by most of the gentlemen from the South, took the opposite view of the case. Our object was, if possible, to withdraw that question from the halls of Congress, and place it where it could no longer risk the public welfare and the public interest. * * * There was a point upon which we could not agree. A considerable portion of the Northern Democracy held that slavery was in derogation of common right, and could only

exist by force of positive law. They contended that the Constitution did not furnish that law, and that the slave-holder could not go into the Territories with his slaves with the Constitution to authorize him in holding his slaves as property, or to protect him. The South generally, without distinction of party, held the opposite view. They held that the citizens of all the States may go with whatever was recognized by the Constitution as property, and enjoy it. That did not seem to be denied to any article of property except slaves. Accordingly, the bill contained the provision that any question in reference to slavery should be referred to the courts of the United States, and the understanding was that, whatever the judicial decision should be, it would be binding upon all parties, not only by virtue of the agreement, but under the obligation of the citizen, to respect the authority of the legally constituted courts of the country. * * * We had confidence in our own view of our rights. Our Northern friends had their views. It was a paradoxical question, and we gave it to the courts.

Well, the courts did decide the very question which had been submitted to them, not upon a case from Kansas, but in another

case. * * * The view that we in the Southern States took of it was sustained—that in the Territories, the common property of the Union, pending their Territorial condition, neither Congress nor the Territorial Government had the power to confiscate any description of property recognized in the States of the Union. The court drew no distinction between slaves and other property. It is true some foreign philanthropists and some foreign writers do undertake to draw this distinction, but these distinctions have nothing to do with our system of government. Our government rests not upon the speculations of philanthropic writers, but upon the plain understanding of a written Constitution which determines it, and upon that alone. It is the result of positive law; therefore we are not to look to the analogy of the supposed law of nations, but to regard the Constitution itself, which is the written expression of the respective powers of the Government and the rights of the States.

Well, that being the case, and it having been authoritatively determined by the very tribunal to which it was referred, that Congress had no power to exclude slavery from the Territories, and judicially determined that the Territorial

Legislatures, authorities created by Congress, had not the power to exclude or confiscate slave property, I confess that I had not anticipated that the doctrine of "unfriendly legislation" would be set up. Hence I need not say to you that I do not believe in the doctrine of unfriendly legislation; that I do not believe in the authority of the Territorial Legislatures to do by indirection what they cannot do directly. I repose upon the decision of the Supreme Court of the United States, as to the point that neither Congress nor the Territorial Legislature has the right to obstruct or confiscate the property of any citizen, slaves included, pending the Territorial condition. I do not see any escape from that decision, if you admit that the question was a judicial one; if you admit the decision of the Supreme Court; and if you stand by the decision of the highest court of the country. The Supreme Court seems to have recognized it as the duty—*as the duty*—of the courts of this Union in their proper sphere to execute this constitutional right, thus adjudicated by the Supreme Court, in the following language: * * * "The judicial department is also bound * * * to maintain in the Territory * * * the political rights and rights

of property of individual citizens as secured by the Constitution." So that, in regard to slave property, as in regard to any other property recognized and guarded by the Constitution, it is the duty, according to the Supreme Court, of all the courts of the country to protect and guard it by their decisions, whenever the question is brought before them. To which I will only add this—that the judicial decisions in our favor must be maintained—these judicial decisions in our favor must be sustained.

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SAN RAFAEL

WM. H. SEWARD,

OF NEW YORK.

(BORN 1801, DIED 1872.)

ON THE IRREPRESSIBLE CONFLICT; ROCHESTER, OCTOBER 25, 1858.

THE unmistakable outbreaks of zeal which occur all around me, show that you are earnest men—and such a man am I. Let us therefore, at least for a time, pass all secondary and collateral questions, whether of a personal or of a general nature, and consider the main subject of the present canvass. The Democratic party, or, to speak more accurately, the party which wears that attractive name—is in possession of the Federal Government. The Republicans propose to dislodge that party, and dismiss it from its high trust.

The main subject, then, is, whether the Democratic party deserves to retain the confidence of the American people. In attempting to prove it unworthy, I think that I am not actu-

ated by prejudices against that party, or by prepossessions in favor of its adversary; for I have learned, by some experience, that virtue and patriotism, vice and selfishness, are found in all parties, and that they differ less in their motives than in the policies they pursue.

Our country is a theatre, which exhibits, in full operation, two radically different political systems; the one resting on the basis of servile or slave labor, the other on voluntary labor of freemen. The laborers who are enslaved are all negroes, or persons more or less purely of African derivation. But this is only accidental. The principle of the system is, that labor in every society, by whomsoever performed, is necessarily unintellectual, grovelling and base; and that the laborer, equally for his own good and for the welfare of the State, ought to be enslaved. The white laboring man, whether native or foreigner, is not enslaved, only because he cannot, as yet, be reduced to bondage.

You need not be told now that the slave system is the older of the two, and that once it was universal. The emancipation of our own ancestors, Caucasians and Europeans as they were, hardly dates beyond a period of five hundred years. The great melioration of human society

which modern times exhibit, is mainly due to the incomplete substitution of the system of voluntary labor for the one of servile labor, which has already taken place. This African slave system is one which, in its origin and in its growth, has been altogether foreign from the habits of the races which colonized these States, and established cizilization here. It was introduced on this continent as an engine of conquest, and for the establishment of monarchical power, by the Portuguese and the Spaniards, and was rapidly extended by them all over South America, Central America, Louisiana, and Mexico. Its legitimate fruits are seen in the poverty, imbecility, and anarchy which now pervade all Portuguese and Spanish America. The free-labor system is of German extraction, and it was established in our country by emigrants from Sweden, Holland, Germany, Great Britain and Ireland. We justly ascribe to its influences the strength, wealth, greatness, intelligence, and freedom, which the whole American people now enjoy. One of the chief elements of the value of human life is freedom in the pursuit of happiness. The slave system is not only intolerable, unjust, and inhuman, toward the laborer, whom, only because he is a laborer, it loads

down with chains and converts into merchandise, but is scarcely less severe upon the freeman, to whom, only because he is a laborer from necessity, it denies facilities for employment, and whom it expels from the community because it cannot enslave and convert into merchandise also. It is necessarily improvident and ruinous, because, as a general truth, communities prosper and flourish, or droop and decline, in just the degree that they practise or neglect to practise the primary duties of justice and humanity. The free-labor system conforms to the divine law of equality, which is written in the hearts and consciences of man, and therefore is always and everywhere beneficent.

The slave system is one of constant danger, distrust, suspicion, and watchfulness. It debases those whose toil alone can produce wealth and resources for defence, to the lowest degree of which human nature is capable, to guard against mutiny and insurrection, and thus wastes energies which otherwise might be employed in national development and aggrandizement.

The free-labor system educates all alike, and by opening all the fields of industrial employment and all the departments of authority, to the

unchecked and equal rivalry of all classes of men, at once secures universal contentment, and brings into the highest possible activity all the physical, moral, and social energies of the whole state. In states where the slave system prevails, the masters, directly or indirectly, secure all political power, and constitute a ruling aristocracy. In states where the free-labor system prevails, universal suffrage necessarily obtains, and the state inevitably becomes, sooner or later, a republic or democracy.

Russia yet maintains slavery, and is a despotism. Most of the other European states have abolished slavery, and adopted the system of free labor. It was the antagonistic political tendencies of the two systems which the first Napoleon was contemplating when he predicted that Europe would ultimately be either all Cossack or all republican. Never did human sagacity utter a more pregnant truth. The two systems are at once perceived to be incongruous. But they are more than incongruous—they are incompatible. They never have permanently existed together in one country, and they never can. It would be easy to demonstrate this impossibility, from the irreconcilable contrast between their great

principles and characteristics. But the experience of mankind has conclusively established it. Slavery, as I have already intimated, existed in every state in Europe. Free labor has supplanted it everywhere except in Russia and Turkey. State necessities developed in modern times are now obliging even those two nations to encourage and employ free labor; and already, despotic as they are, we find them engaged in abolishing slavery. In the United States, slavery came into collision with free labor at the close of the last century, and fell before it in New England, New York, New Jersey, and Pennsylvania, but triumphed over it effectually, and excluded it for a period yet undetermined, from Virginia, the Carolinas, and Georgia. Indeed, so incompatible are the two systems, that every new State which is organized within our ever-extending domain makes its first political act a choice of the one and the exclusion of the other, even at the cost of civil war, if necessary. The slave States, without law, at the last national election, successfully forbade, within their own limits, even the casting of votes for a candidate for President of the United States supposed to be favorable to the establishment of the free-labor system in new States.

Hitherto, the two systems have existed in different States, but side by side within the American Union. This has happened because the Union is a confederation of States. But in another aspect the United States constitute only one nation. Increase of population, which is filling the States out to their very borders, together with a new and extended net-work of railroads and other avenues, and an internal commerce which daily becomes more intimate, is rapidly bringing the States into a higher and more perfect social unity or consolidation. Thus, these antagonistic systems are continually coming into closer contact, and collision results.

Shall I tell you what this collision means? They who think that it is accidental, unnecessary, the work of interested or fanatical agitators, and therefore ephemeral, mistake the case altogether. It is an irrepressible conflict between opposing and enduring forces, and it means that the United States must and will, sooner or later, become either entirely a slave-holding nation, or entirely a free-labor nation. Either the cotton- and rice-fields of South Carolina and the sugar plantations of Louisiana will ultimately be tilled by free-labor, and Charleston

and New Orleans become marts of legitimate merchandise alone, or else the rye-fields and wheat-fields of Massachusetts and New York must again be surrendered by their farmers to slave culture and to the production of slaves, and Boston and New York become once more markets for trade in the bodies and souls of men. It is the failure to apprehend this great truth that induces so many unsuccessful attempts at final compromises between the slave and free States, and it is the existence of this great fact that renders all such pretended compromises, when made, vain and ephemeral. Startling as this saying may appear to you, fellow-citizens, it is by no means an original or even a modern one. Our forefathers knew it to be true, and unanimously acted upon it when they framed the Constitution of the United States. They regarded the existence of the servile system in so many of the States with sorrow and shame, which they openly confessed, and they looked upon the collision between them, which was then just revealing itself, and which we are now accustomed to deplore, with favor and hope. They knew that one or the other system must exclusively prevail.

Unlike too many of those who in modern

time invoke their authority, they had a choice between the two. They preferred the system of free labor, and they determined to organize the government, and so direct its activity, that that system should surely and certainly prevail. For this purpose, and no other, they based the whole structure of the government broadly on the principle that all men are created equal, and therefore free—little dreaming that, within the short period of one hundred years, their descendants would bear to be told by any orator, however popular, that the utterance of that principle was merely a rhetorical rhapsody; or by any judge, however venerated, that it was attended by mental reservation, which rendered it hypocritical and false. By the ordinance of 1787, they dedicated all of the national domain not yet polluted by slavery to free labor immediately, thenceforth and forever; while by the new Constitution and laws they invited foreign free labor from all lands under the sun, and interdicted the importation of African slave labor, at all times, in all places, and under all circumstances whatsoever. It is true that they necessarily and wisely modified this policy of freedom by leaving it to the several States, affected as they were by different circumstances, to abolish

slavery in their own way and at their own pleasure, instead of confiding that duty to Congress; and that they secured to the slave States, while yet retaining the system of slavery, a three-fifths representation of slaves in the Federal Government, until they should find themselves able to relinquish it with safety. But the very nature of these modifications fortifies my position, that the fathers knew that the two systems could not endure within the Union, and expected within a short period slavery would disappear forever. Moreover, in order that these modifications might not altogether defeat their grand design of a republic maintaining universal equality, they provided that two thirds of the States might amend the Constitution.

It remains to say on this point only one word, to guard against misapprehension. If these States are to again become universally slaveholding, I do not pretend to say with what violations of the Constitution that end shall be accomplished. On the other hand, while I do confidently believe and hope that my country will yet become a land of universal freedom, I do not expect that it will be made so otherwise than through the action of the several States

coöperating with the Federal Government, and all acting in strict conformity with their respective constitutions.

The strife and contentions concerning slavery, which gently-disposed persons so habitually deprecate, are nothing more that the ripening of the conflict which the fathers themselves not only thus regarded with favor, but which they may be said to have instituted.

* * * I know—few, I think, know better than I—the resources and energies of the Democratic party, which is identical with the slave power. I do ample justice to its traditional popularity. I know further—few, I think, know better than I—the difficulties and disadvantages of organizing a new political force, like the Republican party, and the obstacles it must encounter in laboring without prestige and without patronage. But, understanding all this, I know that the Democratic party must go down, and that the Republican party must rise into its place. The Democratic party derived its strength, originally, from its adoption of the principles of equal and exact justice to all men. So long as it practised this principle faithfully, it was invulnerable. It became vulnerable when it renounced the principle, and since that time

it has maintained itself, not by virtue of its own strength, or even of its traditional merits, but because there as yet had appeared in the political field no other party that had the conscience and the courage to take up, and avow, and practise the life-inspiring principle which the Democratic party had surrendered. At last, the Republican party has appeared. It avows, now, as the Republican party of 1800 did, in one word, its faith and its works, "Equal and exact justice to all men." Even when it first entered the field, only half organized, it struck a blow which only just failed to secure complete and triumphant victory. In this, its second campaign, it has already won advantages which render that triumph now both easy and certain.

The secret of its assured success lies in that very characteristic which, in the mouth of scoffers, constitutes its great and lasting imbecility and reproach. It lies in the fact that it is a party of one idea; but that is a noble one—an idea that fills and expands all generous souls; the idea of equality—the equality of all men before human tribunals and human laws, as they all are equal before the Divine tribunal and Divine laws.

I know, and you know, that a revolution has begun. I know, and all the world knows, that revolutions never go backward. Twenty Senators and a hundred Representatives proclaim boldly in Congress to-day sentiments and opinions and principles of freedom which hardly so many men, even in this free State, dared to utter in their own homes twenty years ago. While the Government of the United States, under the conduct of the Democratic party, has been all that time surrendering one plain and castle after another to slavery, the people of the United States have been no less steadily and perseveringly gathering together the forces with which to recover back again all the fields and all the castles which have been lost, and to confound and overthrow, by one decisive blow, the betrayers of the Constitution and freedom forever.

VI.

SECESSION.

VI.

SECESSION.

FROM the beginning of our history it has been a mooted question whether we are to consider the United States as a political state or as a congeries of political states, as a *Bundesstaat* or as a *Staatenbund*. The essence of the controversy seems to be contained in the very title of the republic, one school laying stress on the word United, as the other does on the word States. The phases of the controversy have been beyond calculation, and one of its consequences has been a civil war of tremendous energy and cost in blood and treasure.

Looking at the facts alone of our history, one would be most apt to conclude that the United States had been a political state from the beginning, its form being entirely revolutionary until the final ratification of the Articles

of Confederation in 1781, then under the very loose and inefficient government of the Articles until 1789, and thereafter under the very efficient national government of the Constitution; that, in the final transformation of 1787–9, there were features which were also decidedly revolutionary; but that there was no time when any of the colonies had the prospect or the power of establishing a separate national existence of its own. The facts are not consistent with the theory that the States ever were independent political states, in any scientific sense.

It cannot be said, however, that the actors in the history always had a clear perception of the facts as they took place. In the teeth of the facts, our early history presents a great variety of assertions of State independence by leading men, State Legislatures, or State constitutions, which still form the basis of the argument for State sovereignty. The State constitutions declared the State to be sovereign and independent, even though the framers knew that

the existence of the State depended on the issue of the national struggle against the mother country. The treaty of 1783 with Great Britain recognized the States separately and by name as "free, sovereign, and independent," even while it established national boundaries outside of the States, covering a vast western territory in which no State would have ventured to forfeit its interest by setting up a claim to practical freedom, sovereignty, or independence. All our early history is full of such contradictions between fact and theory. They are largely obscured by the undiscriminating use of the word "people." As used now, it usually means the national people; but many apparently national phrases as to the "sovereignty of the people," as they were used in 1787–9, would seem far less national if the phraseology could show the feeling of those who then used them that the "people" referred to was the people of the State. In that case the number of the contradictions would be indefinitely increased; and the phraseology of the Constitu-

tion's preamble, "We, the people of the United States," would not be offered as a consciously nationalizing phrase of its framers. It is hardly to be doubted, from the current debates, that the conventions of Massachusetts, New Hampshire, Rhode Island, New York, Virginia, North Carolina, and South Carolina, seven of the thirteen States, imagined and assumed that each ratified the Constitution in 1788–90 by authority of the State's people alone, by the State's sovereign will; while the facts show that in each of these conventions a clear majority was coerced into ratification by a strong minority in its own State, backed by the unanimous ratifications of the other States. If ratification or rejection had really been open to voluntary choice, to sovereign will, the Constitution would never have had a moment's chance of life; so far from being ratified by nine States as a condition precedent to going into effect, it would have been summarily rejected by a majority of the States. In the language of John Adams, the Constitution was

"extorted from the grinding necessities of a reluctant people." The theory of State sovereignty was successfully contradicted by national necessities.

The change from the Articles of Confederation to the Constitution, though it could not help antagonizing State sovereignty, was carefully managed so as to do so as little as possible. As soon as the plans by which the Federal party, under Hamilton's leadership, proposed to develop the national features of the Constitution became evident, the latent State feeling took fire. Its first symptom was the adoption of the name Republican by the new opposition party which took form in 1792–3 under Jefferson's leadership. Up to this time the States had been the only means through which Americans had known any thing of republican government; they had had no share in the government of the mother country in colonial times, and no efficient national government to take part in under the Articles of Confederation. The claim of an exclusive title to the name of

Republican does not seem to have been fundamentally an implication of monarchical tendencies against the Federalists so much as an implication that they were hostile to the States, the familiar exponents of republican government. When the Federalist majority in Congress forced through, in the war excitement against France in 1798, the Alien and Sedition laws, which practically empowered the President to suppress all party criticism of and opposition to the dominant party, the Legislatures of Kentucky and Virginia, in 1798–9, passed series of resolutions, prepared by Jefferson and Madison respectively, which for the first time asserted in plain terms the sovereignty of the States. The two sets of resolutions agreed in the assertion that the Constitution was a "compact," and that the States were the "parties" which had formed it. In these two propositions lies the gist of State sovereignty, of which all its remotest consequences are only natural developments. If it were true that the States, of their sovereign will, had

formed such a compact; if it were not true that the adoption of the Constitution was a mere alteration of the form of a political state already in existence; it would follow, as the Kentucky resolutions asserted, that each State had the exclusive right to decide for itself when the compact had been broken, and the mode and measure of redress. It followed, also, that, if the existence and force of the Constitution in a State were due solely to the sovereign will of the State, the sovereign will of the State was competent, on occasion, to oust the Constitution from the jurisdiction covered by the State. In brief, the Union was wholly voluntary in its formation and in its continuance; and each State reserved the unquestionable right to secede, to abandon the Union, and assume an independent existence whenever due reason, in the exclusive judgment of the State, should arise. These latter consequences, not stated in the Kentucky resolutions, and apparently not contemplated by the Virginia resolutions, were put into complete form by Professor Tucker, of

the University of Virginia, in 1803, in the notes to his edition of "Blackstone's Commentaries." Thereafter its statements of American constitutional law controlled the political training of the South.

Madison held a modification of the State sovereignty theory, which has counted among its adherents the mass of the ability and influence of American authorities on constitutional law. Holding that the Constitution was a compact, and that the States were the parties to it, he held that one of the conditions of the compact was the abandonment of State sovereignty; that the States were sovereign until 1787–8, but thereafter only members of a political state, the United States. This seems to have been the ground taken by Webster, in his debates with Hayne and Calhoun. It was supported by the instances in which the appearance of a sovereignty in each State was yielded in the fourteen years before 1787; but, unfortunately for the theory, Calhoun was able to produce instances exactly parallel after 1787. If the fact

that each State predicated its own sovereignty as an essential part of the steps preliminary to the convention of 1787 be a sound argument for State sovereignty before 1787, the fact that each State predicated its sovereignty as an essential part of the ratification of the Constitution must be taken as an equally sound argument for State sovereignty under the Constitution; and it seems difficult, on the Madison theory, to resist Calhoun's triumphant conclusion that, if the States went into the convention as sovereign States, they came out of it as sovereign States, with, of course, the right of secession. Calhoun himself had a sincere desire to avoid the exercise of the right of secession, and it was as a substitute for it that he evolved his doctrine of nullification, which has been placed in the first volume. When it failed in 1833, the exercise of the right of secession was the only remaining remedy for an asserted breach of State sovereignty.

The events which led up to the success of the Republican party in electing Mr. Lincoln to the

Presidency in 1860 are so intimately connected with the antislavery struggle that they have been placed in the preceding volume. They culminated in the first organized attempt to put the right of secession to a practical test. The election of Lincoln, the success of a "sectional party," and the evasion of the fugitive-slave law through the passage of "personal-liberty laws" by many of the Northern States, are the leading reasons assigned by South Carolina for her secession in 1860. These were intelligible reasons, and were the ones most commonly used to influence the popular vote. But all the evidence goes to show that the leaders of secession were not so weak in judgment as to run the hazards of war by reason of "injuries" so minute as these. Their apprehensions were far broader, if less calculated to influence a popular vote. In 1789 the proportions of population and wealth in the two sections were very nearly equal. The slave system of labor had hung as a clog upon the progress of the South, preventing the natural development of

manufactures and commerce, and shutting out immigration. As the numerical disproportion between the two sections increased, Southern leaders ceased to attempt to control the House of Representatives, contenting themselves with balancing new Northern with new Southern States, so as to keep an equal vote in the Senate. Since 1845 this resource had failed. Five free States, Iowa, Wisconsin, California, Minnesota, and Oregon, had been admitted, with no new slave States; Kansas was calling almost imperatively for admission; and there was no hope of another slave State in future. When the election of 1860 demonstrated that the progress of the antislavery struggle had united all the free States, it was evident that it was but a question of time when the Republican party would control both branches of Congress and the Presidency, and have the power to make laws according to its own interpretation of the constitutional powers of the Federal Government.

The peril to slavery was not only the prob-

able prohibition of the inter-State slave-trade, though this itself would have been an event which negro slavery in the South could hardly have long survived. The more pressing danger lay in the results of such general Republican success on the Supreme Court. The decision of that Court in the Dred Scott case had fully sustained every point of the extreme Southern claims as to the status of slavery in the Territories; it had held that slaves were property in the view of the Constitution; that Congress was bound to protect slave-holders in this property right in the Territories, and, still more, bound not to prohibit slavery or allow a Territorial Legislature to prohibit slavery in the Territories, and that the Missouri compromise of 1820 was unconstitutional and void. The Southern Democrats entered the election of 1860 with this distinct decision of the highest judicial body of the country to back them. The Republican party had refused to admit that the decision of the Dred Scott case was law or binding. Given a Republican majority

in both Houses and a Republican President, there was nothing to hinder the passage of a law increasing the number of Supreme Court justices to any desired extent, and the new appointments would certainly be of such a nature as to make the reversal of the Dred Scott decision an easy matter. The election of 1860 had brought only a Republican President; the majority in both Houses was to be against him until 1863 at least. But the drift in the North and West was too plain to be mistaken, and it was felt that 1860–1 would be the last opportunity for the Gulf States to secede with dignity and with the prestige of the Supreme Court's support.

Finally, there seems to have been a strong feeling among the extreme secessionists, who loved the right of secession for its own sake, that the accelerating increase in the relative power of the North would soon make secession, on any grounds, impossible. Unless the right was to be forfeited by non-user, it must be established by practical exercise, and at once.

Until about 1825–9 Presidential electors were

chosen in most of the States by the Legislature. After that period the old practice was kept up only in South Carolina. On election day of November, 1860, the South Carolina Legislature was in session for the purpose of choosing electors, but it continued its session after this duty was performed, As soon as Lincoln's election was assured, the Legislature called a State Convention for Dec. 17th, took the preliminary steps toward putting the State on a war footing, and adjourned. The convention met at the State capital, adjourned to Charleston, and here, Dec. 20, 1860, passed unanimously an Ordinance of Secession. By its terms the people of South Carolina, in convention assembled, repealed the ordinance of May 23, 1788, by which the Constitution had been ratified, and all Acts of the Legislature ratifying amendments to the Constitution, and declared the union between the State and other States, under the name of the United States of America, to be dissolved. By a similar process, similar ordinances were adopted by the State Conven-

tions of Mississippi (Jan. 9th), Florida (Jan. 10th), Alabama (Jan. 11th), Georgia (Jan. 19th), Louisiana (Jan. 25th), and Texas (Feb. 1st), —seven States in all.

Outside of South Carolina, the struggle in the States named turned on the calling of the convention; and in this matter the opposition was unexpectedly strong. We have the testimony of Alexander H. Stephens that the argument most effective in overcoming the opposition to the calling of a convention was: "We can make better terms out of the Union than in it." The necessary implication was that secession was not to be final; that it was only to be a temporary withdrawal until terms of compromise and security for the fugitive-slave law and for slavery in the Territories could be extorted from the North and West. The argument soon proved to be an intentional sham.

There has always been a difference between the theory of the State Convention at the North and at the South. At the North, barring a few very exceptional cases, the rule has been

that no action of a State Convention is valid until confirmed by popular vote. At the South, in obedience to the strictest application of State sovereignty, the action of the State Convention was held to be the voice of the people of the State, which needed no popular ratification. There was, therefore, no remedy when the State Conventions, after passing the ordinances of secession, went on to appoint delegates to a Confederate Congress, which met at Montgomery, Feb. 4, 1861, adopted a provisional constitution Feb. 8th, and elected a President and Vice-President Feb. 9th. The conventions ratified the provisional constitution and adjourned, their real object having been completely accomplished; and the people of the several seceding States, by the action of their omnipotent State Conventions, and without their having a word to say about it, found themselves under a new government, totally irreconcilable with the jurisdiction of the United States, and necessarily hostile to it. The only exception was Texas, whose State Convention

had been called in a method so utterly revolutionary that it was felt to be necessary to condone its defects by a popular vote.

No declaration had ever been made by any authority that the erection of such hostile power within the national boundaries of the United States would be followed by war; such a declaration would hardly seem necessary. The recognition of the original national boundaries of the United States had been extorted from Great Britain by successful warfare. They had been extended by purchase from France and Spain in 1803 and 1819, and again by war from Mexico in 1848. The United States stood ready to guarantee their integrity by war against all the rest of the world; was an ordinance of South Carolina, or the election of a *de facto* government within Southern borders, likely to receive different treatment than was given British troops at Bunker Hill, or Santa Anna's lancers at Buena Vista? Men forgot that the national boundaries had been so drawn as to include Vermont before Vermont's admission

and without Vermont's consent; that unofficial propositions to divide Rhode Island between Connecticut and Massachusetts, to embargo commerce with North Carolina, and demand her share of the Confederation debt, had in 1789–90 been a sufficient indication that it was easier for a State to get into the American Union than to get out of it. It was a fact, nevertheless, that the national power to enforce the integrity of the Union had never been formally declared; and the mass of men in the South, even though they denied the expediency, did not deny the right of secession, or acknowledge the right of coercion by the Federal Government. To reach the original area of secession with land-forces, it was necessary for the Federal Government to cross the Border States, whose people in general were no believers in the right of coercion. The first attempt to do so extended the secession movement by methods which were far more openly revolutionary than the original secessions. North Carolina and Arkansas seceded in orthodox fashion as soon as President Lincoln called for

volunteers after the capture of Fort Sumter. The State governments of Virginia and Tennessee concluded "military leagues" with the Confederacy, allowed Confederate troops to take possession of their States, and then submitted an ordinance of secession to the form of a popular vote. The State officers of Missouri were chased out of the State before they could do more than begin this process. In Maryland, the State government arrayed itself successfully against secession.

In selecting the representative opinions for this period, all the marked shades of opinion have been respected, both the Union and the anti-coercion sentiment of the Border States, the extreme secession spirit of the Gulf States, and, from the North, the moderate and the extreme Republican, and the orthodox Democratic, views. The feeling of the so-called "peace Democrats" of the North differed so little from those of Toombs or Iverson that it has not seemed advisable to do more than refer to Vallandigham's speech in opposition to the war, under the next period.

THOMAS L. CLINGMAN,

OF NORTH CAROLINA.

(BORN 1811.)

ON SECESSION; BORDER STATE OPINION (ANTI-COERCION); IN THE UNITED STATES SENATE, DECEMBER 4, 1860.

MR. PRESIDENT:

My purpose was not so much to make a speech as to state what I think is the great difficulty; and that is that a man has been elected because he has been and is hostile to the South. It is this that alarms our people; and I am free to say, as I have said on the stump this summer repeatedly, that if an election were not resisted, either now or at some day not far distant the Abolitionists would succeed in abolishing slavery all over the South.

Now, as to this idea of gentlemen waiting for overt acts. Why, sir, if the fugitive-slave law had been repealed without these occurrences it could not have produced half the ex-

citement in the country. Men would have said: "We have gotten back very few negroes under it; its repeal merely puts us where we were ten years ago." Again, if you were to abolish slavery in this District it would be said: "There are only a few thousand slaves here; that is a small matter; are you going to disturb this great Union just for the sake of a few thousand slaves?" It is said, however, by some persons, that we are to submit until revolution is more tolerable than the acts of which we complain. That was not the policy of our revolutionary fathers. Nobody supposes that the tea tax or the stamp tax was an oppressive measure in itself. They saw, however, that if they were submitted to, in time oppression would be practised, and they wisely resisted at the start.

Now, sir, I take it for granted that Lincoln would resort to no overt acts in the first instance. I cannot conceive that he would have the folly to do so. I presume that he would be conservative in his declarations, and I should attach just as much weight to them as I would to the soothing words and manner of a man who wanted to mount a wild horse, and who would not, until he was safely in the saddle, apply whip or spur. I take it for granted, when

he comes in, he will make things as quiet as he can make them at first. I presume the policy of the party would be to endeavor to divide the South. They complain that Abolition documents are not circulated there. They wish to have an opportunity, by circulating such things as Helper's book, of arraying the non-slaveholders and poor men against the wealthy. I have no doubt that would be their leading policy, and they would be very quiet about it. They want to get up that kind of "free debate" which has been put into practice in Texas, according to the Senator from New York, for he is reported to have said in one of his speeches in the Northwest, alluding to recent disturbances, to burnings and poisonings there, that Texas was excited by "free debate." Well, sir, a Senator from Texas told me the other day that a good many of those debaters were hanging up on the trees in that country. I have no doubt, also, they would run off slaves faster from the border States, and perhaps oblige the slave-owners to send them down further south, so as to make some of those States free States; and then, when the South was divided to some extent, the overt acts would come, and we should have, perhaps, a hard struggle to escape destruction.

Therefore, I maintain that our true policy is to meet this issue *in limine*, and I hope it will be done. If we can maintain our personal safety let us hold on to the present Government; if not we must take care of ourselves at all hazards. I think this is the feeling that prevails in North Carolina. I have spoken of there being two parties there, but I may say to you, Mr. President, that that party which is for immediate action is gaining strength rapidly. I do not believe there has been a meeting yet held in the State where there was a collision of opinion that ultra resolutions have not been adopted. This feeling is not confined to either of the political parties which made a struggle there in the late elections. The current of resistance is running rapidly over the South. It is idle for men to shut their eyes to consequences like these. If any thing can be done to avert the evil let those who have the power do it. I will not now detain the Senate longer.

JOHN JORDAN CRITTENDEN,

OF KENTUCKY.

(BORN 1786, DIED 1863.)

ON SECESSION; BORDER STATE OPINION (UNIONIST); IN THE UNITED STATES SENATE, DEC. 4, 1860.

MR. PRESIDENT:

I regret that the honorable Senator from North Carolina has thought proper to make the speech which he has just addressed to the Senate. I did hope that we had all come together upon this occasion duly impressed with the solemnity of the business that would devolve upon us, duly impressed with the great dangers that were impending over our country, and especially with those dangers which threaten the existence of our Union. That was the temper in which I hoped we were now assembled. I hope this debate will proceed no further. The gentleman has hardly uttered a sentiment or an opinion in which I do not disagree with him—hardly one, sir. I have hopes of the preservation

of that Union under which I have so long lived; I have hopes that that Union which was the glory of our fathers will not become the shame of their children. But I rise here now, sir, not for the purpose of making a speech, and I intend to stick to my purpose. I wish the gentleman had stuck to his when he said he rose not to make a speech. I rise here to express the hope, and that alone, that the bad example of the gentleman will not be followed, and that we shall not allow ourselves now to be involved in an angry debate. We had better not have come here at all if that is our purpose. If we have not come here to give a deliberate and a solemn consideration to the grave questions that are thrust upon us, we are not fit for the places we occupy. This Union was established by great sacrifices; this Union is worthy of great sacrifices and great concessions for its maintenance; and I trust there is not a Senator here who is not willing to yield and to compromise much in order to preserve the government and the Union of the country.

I look forward with dismay and with something like despair to the condition of this country when the Union shall be stricken down, and we shall be turned loose again to speculate

on the policies and on the foundation upon which we are to establish governments. I look at it, sir, with a fear and trembling that predispose me to the most solemn considerations that I am capable of feeling, to search out, if it be possible, some means for the reconciliation of all the different sections and members of this Union, and see if we cannot again restore that harmony and that fraternity and that union which once existed in this country, and which gave so much of blessing and so much of benefit to us all. I hope that we shall not now engage in any irritating or angry debate. Our duties require of us very different dispositions of mind; and I trust none of us will allow ourselves to be irritated or provoked, or through any inadvertence involved in any angry or irritating discussions now. Calm consideration is demanded of us; a solemn duty is to be performed, not invectives to be pronounced; not passions to be aroused; not wrongs to be detailed and aggravated over and over again. Let us look to the future; let us look to the present only to see what are the dangers and what are the remedies, and to appeal for the adoption of those remedies, to the good feeling of every portion of this House. It is in that

way only that we can arrive at a peaceable and satisfactory conclusion.

I am content, sir, that the gentleman's motion for printing the message shall be passed, and will waive any remarks which I might have been disposed otherwise to make on that message. I do not agree that there is no power in the President to preserve the Union. I will say that now. If we have a Union at all, and if, as the President thinks, there is no right to secede on the part of any State (and I agree with him in that), I think there is a right to employ our power to preserve the Union. I do not say how we should apply it, or under what circumstances we should apply it. I leave all that open. To say that no State has a right to secede, that it is wrong to the Union, and yet that the Union has no right to interpose any obstacle to its secession, seems to me to be altogether contradictory.

ALFRED IVERSON,

OF GEORGIA.

(BORN 1798, DIED 1874.)

ON SECESSION; SECESSIONIST OPINION; IN THE UNITED STATES SENATE, DECEMBER 5, 1860.

I DO not rise, Mr. President, for the purpose of entering at any length into this discussion, or to defend the President's message, which has been attacked by the Senator from New Hampshire.* I am not the mouth-piece of the President. While I do not agree with some portions of the message, and some of the positions that have been taken by the President, I do not perceive all the inconsistencies in that document which the Senator from New Hampshire has thought proper to present.

It is true, that the President denies the constitutional right of a State to secede from the Union; while, at the same time, he also states that this Federal Government has no constitu-

*See page 105.

tional right to enforce or to coerce a State back into the Union which may take upon itself the responsibility of secession. I do not see any inconsistency in that. The President may be right when he asserts the fact that no State has a constitutional right to secede from the Union. I do not myself place the right of a State to secede from the Union upon constitutional grounds. I admit that the Constitution has not granted that power to a State. It is exceedingly doubtful even whether the right has been reserved. Certainly it has not been reserved in express terms. I therefore do not place the expected action of any of the Southern States, in the present contingency, upon the constitutional right of secession; and I am not prepared to dispute therefore, the position which the President has taken upon that point.

I rather agree with the President that the secession of a State is an act of revolution taken through that particular means or by that particular measure. It withdraws from the Federal compact, disclaims any further allegiance to it, and sets itself up as a separate government, an independent State. The State does it at its peril, of course, because it may or may not be cause of war by the remaining States composing

the Federal Government. If they think proper to consider it such an act of disobedience, or if they consider that the policy of the Federal Government be such that it cannot submit to this dismemberment, why then they may or may not make war if they choose upon the seceding States. It will be a question of course for the Federal Government or the remaining States to decide for themselves, whether they will permit a State to go out of the Union, and remain as a separate and independent State, or whether they will attempt to force her back at the point of the bayonet. That is a question, I presume, of policy and expediency, which will be considered by the remaining States composing the Federal Government, through their organ, the Federal Government, whenever the contingency arises.

But, sir, while a State has no power, under the Constitution, conferred upon it to secede from the Federal Government or from the Union, each State has the right of revolution, which all admit. Whenever the burdens of the government under which it acts become so onerous that it cannot bear them, or if anticipated evil shall be so great that the State believes it would be better off—even risking the perils of seces-

sion—out of the Union than in it, then that State, in my opinion, like all people upon earth has the right to exercise the great fundamental principle of self-preservation, and go out of the Union—though, of course, at its own peril—and bear the risk of the consequences. And while no State may have the constitutional right to secede from the Union, the President may not be wrong when he says the Federal Government has no power under the Constitution to compel the State to come back into the Union. It may be a *casus omissus* in the Constitution; but I should like to know where the power exists in the Constitution of the United States to authorize the Federal Government to coerce a sovereign State. It does not exist in terms, at any rate, in the Constitution. I do not think there is any inconsistency, therefore, between the two positions of the President in the message upon these particular points.

The only fault I have to find with the message of the President, is the inconsistency of another portion. He declares that, as the States have no power to secede, the Federal Government is in fact a consolidated government; that it is not a voluntary association of States. I deny it. It was a voluntary association of States. No State

was ever forced to come into the Federal Union. Every State came voluntarily into it. It was an association, a voluntary association of States; and the President's position that it is not a voluntary association is, in my opinion, altogether wrong.

But whether that be so or not, the President declares and assumes that this government is a consolidated government to this extent: that all the laws of the Federal Government are to operate directly upon each individual of the States, if not upon the States themselves, and must be enforced; and yet, at the same time, he says that the State which secedes is not to be coerced. He says that the laws of the United States must be enforced against every individual of a State.

Of course, the State is composed of individuals within its limits, and if you enforce the laws and obligations of the Federal Government against each and every individual of the State, you enforce them against a State. While, therefore, he says that a State is not to be coerced, he declares, in the same breath, his determination to enforce the laws of the Union, and therefore to coerce the State if a State goes out. There is the inconsistency, according

to my idea, which I do not see how the President or anybody else can reconcile. That the Federal Government is to enforce its laws over the seceding State, and yet not coerce her into obedience, is to me incomprehensible.

But I did not rise, Mr. President, to discuss these questions in relation to the message; I rose in behalf of the State that I represent, as well as other Southern States that are engaged in this movement, to accept the issue which the Senator from New Hampshire has seen fit to tender—that is, *of war*. Sir, the Southern States now moving in this matter are not doing it without due consideration. We have looked over the whole field. We believe that the only security for the institution to which we attach so much importance is secession and a Southern confederacy. We are satisfied, notwithstanding the disclaimers upon the part of the Black Republicans to the contrary, that they intend to use the Federal power, when they get possession of it, to put down and extinguish the institution of slavery in the Southern States. I do not intend to enter upon the discussion of that point. That, however, is my opinion. It is the opinion of a large majority of those with whom I associate at home, and I believe of the

Southern people. Believing that this is the intention and object, the ultimate aim and design, of the Republican party, the Abolitionists of the North, we do not intend to stay in this Union until we shall become so weak that we shall not be able to resist when the time comes for resistance. Our true policy is the one which we have made up our minds to follow. Our true policy is to go out of this Union now, while we have strength to resist any attempt on the part of the Federal Government to coerce us. * * *

We intend, Mr. President, to go out peaceably if we can, forcibly if we must; but I do not believe, with the Senator from New Hampshire, that there is going to be any war. If five or eight States go out, they will necessarily draw all the other Southern States after them. That is a consequence that nothing can prevent. If five or eight States go out of this Union, I should like to see the man that would propose a declaration of war against them, or attempt to force them into obedience to the Federal Government at the point of the bayonet or the sword.

Sir, there has been a good deal of vaporing on this subject. A great many threats have

been thrown out. I have heard them on this floor, and upon the floor of the other House of Congress; but I have also perceived this: they come from those who would be the very last men to attempt to put their threats into execution. Men talk sometimes about their eighteen million who are to whip us; and yet we have heard of cases in which just such men had suffered themselves to be switched in the face, and trembled like sheep-stealing dogs, expecting to be shot every minute. These threats generally come from men who would be the last to execute them. Some of these Northern editors talk about whipping the Southern States like spaniels. Brave words; but I venture to assert none of those men would ever volunteer to command an army to be sent down South to coerce us into obedience to Federal power. * * *

But, sir, I apprehend that when we go out and form our confederacy—as I think and hope we shall do very shortly—the Northern States, or the Federal Government, will see its true policy to be to let us go in peace and make treaties of commerce and amity with us, from which they will derive more advantages than from any attempt to coerce us. They cannot

succeed in coercing us. If they allow us to form our government without difficulty, we shall be very willing to look upon them as a favored nation and give them all the advantages of commercial and amicable treaties. I have no doubt that both of us—certainly the Southern States—would live better, more happily, more prosperously, and with greater friendship, than we live now in this Union.

Sir, disguise the fact as you will, there is an enmity between the Northern and Southern people that is deep and enduring, and you never can eradicate it—never! Look at the spectacle exhibited on this floor. How is it? There are the Republican Northern Senators upon that side. Here are the Southern Senators on this side. How much social intercourse is there between us? You sit upon your side, silent and gloomy; we sit upon ours with knit brows and portentous scowls. Yesterday I observed that there was not a solitary man on that side of the Chamber came over here even to extend the civilities and courtesies of life; nor did any of us go over there. Here are two hostile bodies on this floor; and it is but a type of the feeling that exists between the two sections. We are enemies as much as if we

were hostile States. I believe that the Northern people hate the South worse than ever the English people hated France; and I can tell my brethren over there that there is no love lost upon the part of the South.

In this state of feeling, divided as we are by interest, by a geographical feeling, by every thing that makes two people separate and distinct, I ask why we should remain in the same Union together? We have not lived in peace; we are not now living in peace. It is not expected or hoped that we shall ever live in peace. My doctrine is that whenever even man and wife find that they must quarrel, and cannot live in peace, they ought to separate; and these two sections—the North and South—manifesting, as they have done and do now, and probably will ever manifest, feelings of hostility, separated as they are in interests and objects, my own opinion is they can never live in peace; and the sooner they separate the better.

Sir, these sentiments I have thrown out crudely I confess, and upon the spur of the occasion. I should not have opened my mouth but that the Senator from New Hampshire seemed to show a spirit of bravado, as if he intended to alarm and scare the Southern States

into a retreat from their movements. He says that war is to come, and you had better take care, therefore. That is the purport of his language; of course those are not his words; but I understand him very well, and everybody else, I apprehend, understands him that war is threatened, and therefore the South had better look out. Sir, I do not believe that there will be any war; but if war is to come, let it come. We will meet the Senator from New Hampshire and all the myrmidons of Abolitionism and Black Republicism everywhere, upon our own soil; and in the language of a distinguished member from Ohio in relation to the Mexican War, we will "welcome you with bloody hands to hospitable graves."

ROBERT TOOMBS,

OF GEORGIA.

(BORN 1810.)

ON SECESSION; SECESSIONIST OPINION; IN THE UNITED STATES SENATE, JANUARY 7, 1861.

MR. PRESIDENT AND SENATORS:

The success of the Abolitionists and their allies, under the name of the Republican party, has produced its logical results already. They have for long years been sowing dragons' teeth, and have finally got a crop of armed men. The Union, sir, is dissolved. That is an accomplished fact in the path of this discussion that men may as well heed. One of your confederates has already, wisely, bravely, boldly, confronted public danger, and she is only ahead of many of her sisters because of her greater facility for speedy action. The greater majority of those sister States, under like circumstances, consider her cause as their cause; and I charge you in their name to-day, "Touch

not Saguntum." It is not only their cause, but it is a cause which receives the sympathy and will receive the support of tens and hundreds of thousands of honest patriotic men in the non-slave-holding States, who have hitherto maintained constitutional rights, and who respect their oaths, abide by compacts, and love justice. And while this Congress, this Senate, and this House of Representatives, are debating the constitutionality and the expediency of seceding from the Union, and while the perfidious authors of this mischief are showering down denunciations upon a large portion of the patriotic men of this country, those brave men are coolly and calmly voting what you call revolution—ay, sir, doing better than that: arming to defend it. They appealed to the Constitution, they appealed to justice, they appealed to fraternity, until the Constitution, justice, and fraternity were no longer listened to in the legislative halls of their country, and then, sir, they prepared for the arbitrament of the sword; and now you see the glittering bayonet, and you hear the tramp of armed men from your Capitol to the Rio Grande. It is a sight that gladdens the eyes and cheers the heart of other millions ready to second them.

Inasmuch, sir, as I have labored earnestly, honestly, sincerely, with these men to avert this necessity so long as I deemed it possible, and inasmuch as I heartily approve their present conduct of resistance, I deem it my duty to state their case to the Senate, to the country, and to the civilized world.

Senators, my countrymen have demanded no new government; they have demanded no new constitution. Look to their records at home and here from the beginning of this national strife until its consummation in the disruption of the empire, and they have not demanded a single thing except that you shall abide by the Constitution of the United States; that constitutional rights shall be respected, and that justice shall be done. Sirs, they have stood by your Constitution; they have stood by all its requirements; they have performed all its duties unselfishly, uncalculatingly, disinterestedly, until a party sprang up in this country which endangered their social system—a party which they arraign, and which they charge before the American people and all mankind, with having made proclamation of outlawry against four thousand millions of their property in the Territories of the United States; with

having put them under the ban of the empire in all the States in which their institutions exist, outside the protection of Federal laws; with having aided and abetted insurrection from within and invasion from without, with the view of subverting those institutions, and desolating their homes and their firesides. For these causes they have taken up arms. I shall proceed to vindicate the justice of their demands, the patriotism of their conduct. I will show the injustice which they suffer and the rightfulness of their resistance.

I shall not spend much time on the question that seems to give my honorable friend (Mr. Crittenden) so much concern—the constitutional right of a State to secede from this Union. Perhaps he will find out after a while that it is a fact accomplished. You have got it in the South pretty much both ways. South Carolina has given it to you regularly, according to the approved plan. You are getting it just below there (in Georgia), I believe, irregularly, outside of the law, without regular action. You can take it either way. You will find armed men to defend both. I have stated that the discontented States of this Union have demanded nothing but clear, distinct, unequivo-

cal, well-acknowledged constitutional rights; rights affirmed by the highest judicial tribunals of their country; rights older than the Constitution; rights which are planted upon the immutable principles of natural justice; rights which have been affirmed by the good and the wise of all countries, and of all centuries. We demand no power to injure any man. We demand no right to injure our confederate States. We demand no right to interfere with their institutions, either by word or deed. We have no right to disturb their peace, their tranquillity, their security. We have demanded of them simply, solely—nothing else—to give us *equality, security, and tranquillity.* Give us these, and peace restores itself. Refuse them, and take what you can get.

I will now read my own demands, acting under my own convictions, and the universal judgment of my countrymen. They are considered the demands of an extremist. To hold to a constitutional right now makes one considered as an extremist—I believe that is the appellation these traitors and villains, North and South, employ. I accept their reproach rather than their principles. Accepting their designation of treason and rebellion, there stands before

them as good a traitor, and as good a rebel as ever descended from revolutionary loins.

What do the rebels demand? First, "that the people of the United States shall have an equal right to emigrate and settle in the present or any future acquired territories, with whatever property they may possess (including slaves), and be securely protected in its peaceable enjoyment until such Territory may be admitted as a State into the Union, with or without slavery, as she may determine, on an equality with all existing States." That is our territorial demand. We have fought for this Territory when blood was its price. We have paid for it when gold was its price. We have not proposed to exclude you, though you have contributed very little of blood or money. I refer especially to New England. We demand only to go into those Territories upon terms of equality with you, as equals in this great Confederacy, to enjoy the common property of the whole Union, and receive the protection of the common government, until the Territory is capable of coming into the Union as a sovereign State, when it may fix its own institutions to suit itself.

The second proposition is, "that property in slaves shall be entitled to the same protection

from the Government of the United States, in all of its departments, everywhere, which the Constitution confers the power upon it to extend to any other property, provided nothing herein contained shall be construed to limit or restrain the right now belonging to every State to prohibit, abolish, or establish and protect slavery within its limits." We demand of the common government to use its granted powers to protect our property as well as yours. For this protection we pay as much as you do. This very property is subject to taxation. It has been taxed by you and sold by you for taxes. The title to thousands and tens of thousands of slaves is derived from the United States. We claim that the Government, while the Constitution recognizes our property for the purposes of taxation, shall give it the same protection that it gives yours. Ought it not to be so? You say no. Every one of you upon the committee said no. Your Senators say no. Your House of Representatives says no. Throughout the length and breadth of your conspiracy against the Constitution, there is but one shout of no! This recognition of this right is the price of my allegiance. Withhold it, and you do not get my obedience. This is the philosophy of the

armed men who have sprung up in this country. Do you ask me to support a government that will tax my property; that will plunder me; that will demand my blood, and will not protect me? I would rather see the population of my native State laid six feet beneath her sod than they should support for one hour such a government. Protection is the price of obedience everywhere, in all countries. It is the only thing that makes government respectable. Deny it and you cannot have free subjects or citizens; you may have slaves.

We demand, in the next place, "that persons committing crimes against slave property in one State, and fleeing to another, shall be delivered up in the same manner as persons committing crimes against other property, and that the laws of the State from which such persons flee shall be the test of criminality." That is another one of the demands of an extremist and rebel. The Constitution of the United States, article four, section two, says:

"A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up to be

removed to the State having jurisdiction of the crime." But the non-slave-holding States, treacherous to their oaths and compacts, have steadily refused, if the criminal only stole a negro, and that negro was a slave, to deliver him up. It was refused twice on the requisition of my own State as long as twenty-two years ago. It was refused by Kent and by Fairfield, Governors of Maine, and representing, I believe, each of the then Federal parties. We appealed then to fraternity, but we submitted; and this constitutional right has been practically a dead letter from that day to this. The next case came up between us and the State of New York, when the present senior Senator (Mr. Seward) was the Governor of that State; and he refused it. Why? He said it was not against the laws of New York to steal a negro, and therefore he would not comply with the demand. He made a similar refusal to Virginia. Yet these are our confederates; these are our sister States! There is the bargain; there is the compact. You have sworn to it. Both these Governors swore to it. The Senator from New York swore to it. The Governor of Ohio swore to it when he was inaugurated. You cannot bind them by oaths.

Yet they talk to us of treason; and I suppose they expect to whip freemen into loving such brethren! They will have a good time in doing it!

It is natural we should want this provision of the Constitution carried out. The Constitution says slaves are property; the Supreme Court says so; the Constitution says so. The theft of slaves is a crime; they are a subject-matter of felonious asportation. By the text and letter of the Constitution you agreed to give them up. You have sworn to do it, and you have broken your oaths. Of course, those who have done so look out for pretexts. Nobody expected them do otherwise. I do not think I ever saw a perjurer, however bald and naked, who could not invent some pretext to palliate his crime, or who could not, for fifteen shillings, hire an Old Bailey lawyer to invent some for him. Yet this requirement of the Constitution is another one of the extreme demands of an extremist and a rebel.

The next stipulation is that fugitive slaves shall be surrendered under the provisions of the fugitive-slave act of 1850, without being entitled either to a writ of *habeas corpus*, or trial by jury, or other similar obstructions of legislation,

in the State to which he may flee. Here is the Constitution:

"No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

This language is plain, and everybody understood it the same way for the first forty years of your government. In 1793, in Washington's time, an act was passed to carry out this provision. It was adopted unanimously in the Senate of the United States, and nearly so in the House of Representatives. Nobody then had invented pretexts to show that the Constitution did not mean a negro slave. It was clear; it was plain. Not only the Federal courts, but all the local courts in all the States, decide that this was a constitutional obligation. How is it now? The North sought to evade it; following the instincts of their natural character, they commenced with the fraudulent fiction that fugitives were entitled to *habeas corpus*, entitled to trial by jury in the State to which they fled. They pretended to believe

that our fugitive slaves were entitled to more rights than their white citizens; perhaps they were right, they know one another better than I do. You may charge a white man with treason, or felony, or other crime, and you do not require any trial by jury before he is given up; there is nothing to determine but that he is legally charged with a crime and that he fled, and then he is to be delivered up upon demand. White people are delivered up every day in this way; but not slaves. Slaves, black people, you say, are entitled to trial by jury; and in this way schemes have been invented to defeat your plain constitutional obligations. * * *

The next demand made on behalf of the South is, "that Congress shall pass effective laws for the punishment of all persons in any of the States who shall in any manner aid and abet invasion or insurrection in any other State, or commit any other act against the laws of nations, tending to disturb the tranquillity of the people or government of any other State." That is a very plain principle. The Constitution of the United States now requires, and gives Congress express power, to define and punish piracies and felonies committed on the high seas, and *offences against the laws of na-*

tions. When the honorable and distinguished Senator from Illinois (Mr. Douglas) last year introduced a bill for the purpose of punishing people thus offending under that clause of the Constitution, Mr. Lincoln, in his speech at New York, which I have before me, declared that it was a "sedition bill"; his press and party hooted at it. So far from recognizing the bill as intended to carry out the Constitution of the United States, it received their jeers and jibes. The Black Republicans of Massachusetts elected the admirer and eulogist of John Brown's courage as their governor, and we may suppose he will throw no impediments in the way of John Brown's successors. The epithet applied to the bill of the Senator from Illinois is quoted from a deliberate speech delivered by Lincoln in New York, for which, it was stated in the journals, according to some resolution passed by an association of his own party, he was paid a couple of hundred dollars. The speech should therefore have been deliberate. Lincoln denounced that bill. He places the stamp of his condemnation upon a measure intended to promote the peace and security of confederate States. He is, therefore, an enemy of the human race, and deserves the execration of all mankind.

We demand these five propositions. Are they not right? Are they not just? Take them in detail, and show that they are not warranted by the Constitution, by the safety of our people, by the principles of eternal justice. We will pause and consider them; but mark me, we will not let you decide the question for us. * * *

Senators, the Constitution is a compact. It contains all our obligations and the duties of the Federal Government. I am content and have ever been content to sustain it. While I doubt its perfection, while I do not believe it was a good compact, and while I never saw the day that I would have voted for it as a proposition *de novo*, yet I am bound to it by oath and by that common prudence which would induce men to abide by established forms rather than to rush into unknown dangers. I have given to it, and intend to give to it, unfaltering support and allegiance, but I choose to put that allegiance on the true ground, not on the false idea that anybody's blood was shed for it. I say that the Constitution is the whole compact. All the obligations, all the chains that fetter the limbs of my people, are nominated in the bond, and they wisely excluded any conclusion

against them, by declaring that "the powers not granted by the Constitution to the United States, or forbidden by it to the States, belonged to the States respectively or the people." Now I will try it by that standard; I will subject it to that test. The law of nature, the law of justice, would say—and it is so expounded by the publicists—that equal rights in the common property shall be enjoyed. Even in a monarchy the king cannot prevent the subjects from enjoying equality in the disposition of the public property. Even in a despotic government this principle is recognized. It was the blood and the money of the whole people (says the learned Grotius, and say all the publicists) which acquired the public property, and therefore it is not the property of the sovereign. This right of equality being, then, according to justice and natural equity, a right belonging to all States, when did we give it up? You say Congress has a right to pass rules and regulations concerning the Territory and other property of the United States. Very well. Does that exclude those whose blood and money paid for it? Does "dispose of" mean to rob the rightful owners? You must show a better title than that, or a better sword than we have.

But, you say, try the right. I agree to it. But how? By our judgment? No, not until the last resort. What then; by yours? No, not until the same time. How then try it? The South has always said, by the Supreme Court. But that is in our favor, and Lincoln says he will not stand that judgment. Then each must judge for himself of the mode and manner of redress. But you deny us that privilege, and finally reduce us to accepting your judgment. The Senator from Kentucky comes to your aid, and says he can find no constitutional right of secession. Perhaps not; but the Constitution is not the place to look for State rights. If that right belongs to independent States, and they did not cede it to the Federal Government, it is reserved to the States, or to the people. Ask your new commentator where he gets the right to judge for us. Is it in the bond?

The Northern doctrine was, many years ago, that the Supreme Court was the judge. That was their doctrine in 1800. They denounced Madison for the report of 1799, on the Virginia resolutions; they denounced Jefferson for framing the Kentucky resolutions, because they were presumed to impugn the decisions of the

Supreme Court of the United States; and they declared that that court was made, by the Constitution, the ultimate and supreme arbiter. That was the universal judgment—the declaration of every free State in this Union, in answer to the Virginia resolutions of 1798, or of all who did answer, even including the State of Delaware, then under Federal control.

The Supreme Court have decided that, by the Constitution, we have a right to go to the Territories and be protected there with our property. You say, we cannot decide the compact for ourselves. Well, can the Supreme Court decide it for us? Mr. Lincoln says he does not care what the Supreme Court decides, he will turn us out anyhow. He says this in his debate with the honorable member from Illinois [Mr. Douglas]. I have it before me. He said he would vote against the decision of the Supreme Court. Then you did not accept that arbiter. You will not take my construction; you will not take the Supreme Court as an arbiter; you will not take the practice of the government; you will not take the treaties under Jefferson and Madison; you will not take the opinion of Madison upon the very question of prohibition in 1820. What, then, will you

take? You will take nothing but your own judgment; that is, you will not only judge for yourselves, not only discard the court, discard our construction, discard the practice of the government, but you will drive us out, simply because you will it. Come and do it! You have sapped the foundations of society; you have destroyed almost all hope of peace. In a compact where there is no common arbiter, where the parties finally decide for themselves, the sword alone at last becomes the real, if not the constitutional, arbiter. Your party says that you will not take the decision of the Supreme Court. You said so at Chicago; you said so in committee; every man of you in both Houses says so. What are you going to do? You say *we shall submit to your construction.* We shall do it, if you can make us; but not otherwise, or in any other manner. That is settled. You may call it secession, or you may call it revolution; but there is a big fact standing before you, ready to oppose you—that fact is, freemen with arms in their hands. The cry of the Union will not disperse them; we have passed that point; they demand equal rights; you had better heed the demand.

JOHN PARKER HALE,

OF NEW HAMPSHIRE.

(BORN 1806, DIED 1873.)

ON SECESSION; MODERATE REPUBLICAN OPINION; IN THE UNITED STATES SENATE, DECEMBER 5, 1860.

MR. PRESIDENT:

I was very much in hopes when the message was presented that it would be a document which would commend itself cordially to somebody. I was not so sanguine about its pleasing myself, but I was in hopes that it would be one thing or another. I was in hopes that the President would have looked in the face the crisis in which he says the country is, and that his message would be either one thing or another. But, sir, I have read it somewhat carefully. I listened to it as it was read at the desk; and, if I understand it—and I think I do—it is this: South Carolina has just cause for seceding from the Union; that is the first

proposition. The second is, that she has no right to secede. The third is, that we have no right to prevent her from seceding. That is the President's message, substantially. He goes on to represent this as a great and powerful country, and that no State has a right to secede from it; but the power of the country, if I understand the President, consists in what Dickens makes the English constitution to be—a power to do nothing at all.

Now, sir, I think it was incumbent upon the President of the United States to point out definitely and recommend to Congress some rule of action, and to tell us what he recommended us to do. But, in my judgment, he has entirely avoided it. He has failed to look the thing in the face. He has acted like the ostrich, which hides her head and thereby thinks to escape danger. Sir, the only way to escape danger is to look it in the face. I think the country did expect from the President some exposition of a decided policy; and I confess that, for one, I was rather indifferent as to what that policy was that he recommended; but I hoped that it would be something; that it would be decisive. He has utterly failed in that respect.

I think we may as well look this matter right clearly in the face; and I am not going to be long about doing it. I think that this state of affairs looks to one of two things: it looks to absolute submission, not on the part of our Southern friends and the Southern States, but of the North, to the abandonment of their position,—it looks to a surrender of that popular sentiment which has been uttered through the constituted forms of the ballot-box, or it looks to open war. We need not shut our eyes to the fact. It means war, and it means nothing else; and the State which has put herself in the attitude of secession, so looks upon it. She has asked no council, she has considered it as a settled question, and she has armed herself. As I understand the aspect of affairs, it looks to that, and it looks to nothing else except unconditional submission on the part of the majority. I did not read the paper—I do not read many papers—but I understand that there was a remedy suggested in a paper printed, I think, in this city, and it was that the President and the Vice-President should be inaugurated (that would be a great concession!) and then, being inaugurated, they should quietly resign! Well, sir, I am not entirely certain that that

would settle the question. I think that after the President and Vice-President-elect had resigned, there would be as much difficulty in settling who was to take their places as there was in settling it before.

I do not wish, sir, to say a word that shall increase any irritation; that shall add any feeling of bitterness to the state of things which really exists in the country, and I would bear and forbear before I would say any thing which would add to this bitterness. But I tell you, sir, the plain, true way is to look this thing in the face—see where we are. And I avow here—I do not know whether or not I shall be sustained by those who usually act with me—if the issue which is presented is that the constitutional will of the public opinion of this country, expressed through the forms of the Constitution, will not be submitted to, and war is the alternative, let it come in any form or in any shape. The Union is dissolved and it cannot be held together as a Union, if that is the alternative upon which we go into an election. If it is pre-announced and determined that the voice of the majority, expressed through the regular and constituted forms of the Constitution, will not be submitted to, then, sir, this is

not a Union of equals; it is a Union of a dictatorial oligarchy on one side, and a herd of slaves and cowards on the other. That is it, sir; nothing more, nothing less.

THADDEUS STEVENS,

OF PENNSYLVANIA.

(BORN 1792, DIED 1868.)

ON SECESSION; RADICAL REPUBLICAN OPINION; IN THE HOUSE OF REPRESENTATIVES, JANUARY 29, 1861.

THE secession and rebellion of the South have been inculcated as a doctrine for twenty years past among slave-holding communities. At one time the tariff was deemed a sufficient cause; then the exclusion of slavery from free Territories; then some violation of the fugitive-slave law. Now the culminating cause is the election of a President who does not believe in the benefits of slavery, or approve of that great missionary enterprise, the slave-trade. The truth is all these things are mere pretences. The restless spirits of the South desire to have a slave empire, and they use these things as excuses. Some of them desire a more brilliant and stronger government than a republic. Their domestic institutions and the social

inequality of their free people naturally prepare them for a monarchy surrounded by a lordly nobility—for a throne founded on the neck of labor.

The men now on the stage of action must determine whether they have courage enough to maintain the institutions which their fathers gave them. This is a great responsibility, but in my judgment not a difficult one. I would certainly not advise the shedding of American blood, except as a last resort. If it should become necessary, I see no difficulty, with the ordinary forces of the United States, to dissipate the rebels, whether of high or low degree.

But before a resort to arms the ordinary tribunals of the country should be tried. There are laws against treason, misprision of treason, murder, and sedition. Many citizens will inquire: Dare we violate these laws? Dare we commit these crimes? Shall we not finally be overtaken by vengeance? I do not say that a State can commit treason. Corporations cannot be hanged. But if a State pass treasonable acts, and individuals attempt to execute them, and thus come in armed collision with the government, they will be guilty of treason, and the State enactments will be no shield, for they will be nullities.

I am aware that the most guilty would be the most likely to escape the proper punishment. The legislators who decreed the conflict and ordered the rebellion would not be apt to be present at the overt act. The civilians would be in council; the soldiers in battle. The passing seditious laws merely, and ordering others to execute them—although moral treason and misprision of treason—is not, in my judgment, treason. "Treason against the United States consists only in levying war against them, or in adhering to their enemies, giving them aid and comfort." In England, even after her great conservative act, the statute of treason, it was not necessary to be present at the overt act or so near as to be able to give physical aid. Conspiring, plotting, and counselling others to do the act, although at a distance, made them principals in treason; for by the common law those who encouraged, advised, or contrived the act, or who gave aid to the felon after the act, were accessories in felonies; but as there could be no accessories in treason, the common law converted such as would have been accessories in felonies into principals in treason. But we have no common law; and those only are traitors who potentially

committed the overt act. Under our Constitution there is neither constructive nor accessorial treason.

South Carolina (and when I speak of South Carolina I mean to include under that name all seceding States, to avoid prolixity, and thus what I say of her shall apply to all that have seceded or may secede) has, with others, declared herself out of the Union; and no doubt fancies that she is so. What ought to be done? Send no armies there to wage civil war, as alarmists pretend. The general government should annul all postal laws within her territory, and stop the mails at the line of the State. Let the revenue laws be executed, and the money paid into the Treasury; it will help to pay the expenses caused by the refractory member, and leave the new empire to direct taxation to support their great burden. How long the people will submit to this cannot be told to a mathematical certainty. Not long, I predict.

If the revenue could not be thus collected, and smuggling prevented, the government should abolish all laws establishing ports of entry and collection districts within the seceding States, and prevent all vessels, foreign or

domestic, from entering or leaving any of their ports. How will she send her cotton and other surplus products abroad? She cannot load a vessel in her own harbors, for there are no national officers to give her a clearance. The vessel would be without papers, without nationality, and a prize to the first captor. How forlorn must be her condition! Without commerce, without industry, her seaports would be barren wastes. With a flag recognized by no civilized nation; with no vessel entering her ports, except now and then a low black schooner scudding in from the river Congo; with no ally or sympathizer except the king of Dahomey.

If these States will have war, who is to protect them against their own domestic foes? They now tremble when a madman and a score of followers invade them. If a citizen declare his opposition to slavery, they hang him; and declare, as a justification, that it is necessary for their personal safety; because they say they are standing on the thin crust of a raging volcano, which the least jar will crack, and plunge them in. How, then, will it withstand the booming of cannon and the clash of arms?

Sir, the attempt of one or more of these cot-

ton States to force this government to dissolve the Union is absurd. Those who counsel the government to let them go, and destroy the national Union, are preaching moral treason. I can understand such doctrine from those who conscientiously dislike a partnership in slave-holding—who desire to see this empire severed along the black line, so that they could live in a free republic. Let no slave State flatter itself that it can dissolve the Union now, and then reconstruct it on better terms. The present Constitution was formed in our weakness. Some of its compromises were odious, and have become more so by the unexpected increase of slaves, who were expected soon to run out. But now, in our strength, the conscience of the North would not allow them to enter into such partnership with slave-holding. If this Union be dissolved, its reconstruction would embrace one empire wholly slave-holding, or one republic wholly free. While we will religiously observe the present compact, not attempt to be absolved from it, yet if it should be torn to pieces by rebels, our next United States will contain no foot of ground on which a slave can tread, no breath of air which a slave can breathe. Then we can boast of liberty. Then we can

rise and expand to the full stature of untrammelled freemen, and hope for God's blessings. Then the bondmen who break their chains will find a city of refuge. Our neighboring slave empire must consider how it will affect their peculiar institution. They will be surrounded by freedom, with the civilized world scowling upon them.

Much as I dislike the responsibility and reproach of slavery, I recoil from such a remedy. Let us be patient, faithful to all constitutional engagements, and await the time of the Disposer of events. Let us not destroy this grand fabric of freedom, which, when once dissolved, will never be rebuilt. Let there be no blood shed until the last moment; but let no cowardly counsels unnerve the people; and then, at last, if needs be, let every one be ready to gird on his armor, and do his duty.

SAMUEL SULLIVAN COX,

OF OHIO.

(BORN 1824.)

ON SECESSION; DOUGLAS DEMOCRATIC OPINION; IN THE HOUSE OF REPRESENTATIVES, JANUARY 14, 1861.

MR. CHAIRMAN:

I speak from and for the capital of the greatest of the States of the great West. That potential section is beginning to be appalled at the colossal strides of revolution. It has immense interests at stake in this Union, as well from its position as its power and patriotism. We have had infidelity to the Union before, but never in such a fearful shape. We had it in the East during the late war with England. Even so late as the admission of Texas, Massachusetts resolved herself out of the Union. That resolution has never been repealed, and one would inter, from much of her conduct, that she did not regard herself as bound by our covenant. Since 1856, in the North, we have had infidelity

to the Union, more insidious infractions of the Constitution than by open rebellion. Now, sir, as a consequence, in part, of these very infractions, we have rebellion itself, open and daring, in terrific proportions, with dangers so formidable as to seem almost remediless.

I would not exaggerate the fearful consequences of dissolution. It is the breaking up of a federative Union, but it is not like the breaking up of society. It is not anarchy. A link may fall from the chain, and the link may still be perfect, though the chain have lost its length and its strength. In the uniformity of commercial regulations, in matters of war and peace, postal arrangements, foreign relations, coinage, copyrights, tariff, and other Federal and national affairs, this great government may be broken; but in most of the essential liberties and rights which government is the agent to establish and protect, the seceding State has no revolution, and the remaining States can have none. This arises from that refinement of our polity which makes the States the basis of our instituted labor. Greece was broken by the Persian power, but her municipal institutions remained. Hungary lost her national crown, but her home institutions

remain. South Carolina may preserve her constituted domestic authority, but she must be content to glimmer obscurely remote rather than shine and revolve in a constellated band. She even goes out by the ordinance of a so-called sovereign convention, content to lose by her isolation that youthful, vehement, exultant, progressive life, which is our NATIONALITY! She foregoes the hopes, the boasts, the flag, the music, all the emotions, all the traits, and all the energies which, when combined in our United States, have won our victories in war and our miracles of national advancement. Her Governor, Colonel Pickens, in his inaugural, regretfully "looks back upon the inheritance South Carolina had in the common glories and triumphant power of this wonderful confederacy, and fails to find language to express the feelings of the human heart as he turns from the contemplation." The ties of brotherhood, interest, lineage, and history are all to be severed. No longer are we to salute a South Carolinian with the "*idem sententiam de republica*," which makes unity and nationality. What a *prestige* and glory are here dimmed and lost in the contaminated reason of man!

Can we realize it? Is it a masquerade, to

last for a night, or a reality to be dealt with with the world's rough passionate handling? It is sad and bad enough; but let us not over tax our anxieties about it as yet, It is not the sanguinary regimen of the French revolution; not the rule of assignats and guillotine not the cry of "*Vivent les Rouges! A mort les gendarmes!*" but as yet, I hope I may say, the peaceful attempt to withdraw from the burdens and benefits of the Republic. Thus it is unlike every other revolution. Still it is revolution It may, according as it is managed, involve consequences more terrific than any revolution since government began.

If the Federal Government is to be maintained, its strength must not be frittered away by conceding the theory of secession. To concede secession as a right, is to make its pathway one of roses and not of thorns. I would not make its pathway so easy. If the government has any strength for its own preservation the people demand it should be put forth in its civil and moral forces. Dealing, however, with a sensitive public sentiment, in which this strength reposes, it must not be rudely exercised. It should be the iron hand in the glove of velvet. Firmness should be allied with kind

ness. Power should assert its own prerogative, but in the name of law and love. If these elements are not thus blended in our policy, as the Executive proposes, our government will prove either a garment of shreds or a coat of mail. We want neither. * * *

Before we enter upon a career of force, let us exhaust every effort at peace. Let us seek to excite love in others by the signs of love in ourselves. Let there be no needless provocation and strife. Let every reasonable attempt at compromise be considered. Otherwise we have a terrible alternative. War, in this age and in this country, sir, should be the *ultima ratio.* Indeed, it may well be questioned whether there is any reason in it for war. What a war! Endless in its hate, without truce and without mercy. If it ended ever, it would only be after a fearful struggle; and then with a heritage of hate which would forever forbid harmony. * * *

Small States and great States; new States and old States; slave States and free States; Atlantic States and Pacific States; gold and silver States; iron and copper States; grain States and lumber States; river States and lake States;—all having varied interests and

advantages, would seek superiority in armed strength. Pride, animosity, and glory would inspire every movement. God shield our country from such a fulfilment of the prophecy of the revered founders of the Union! Our struggle would be no short, sharp struggle. Law, and even religion herself, would become false to their divine purpose. Their voice would no longer be the voice of God, but of his enemy. Poverty, ignorance, oppression, and its handmaid, cowardice, breaking out into merciless cruelty; slaves false; freemen slaves, and society itself poisoned at the cradle and dishonored at the grave;—its life, now so full of blessings, would be gone with the life of a fraternal and united Statehood. What sacrifice is too great to prevent such a calamity? Is such a picture overdrawn? Already its outlines appear. What means the inaugural of Governor Pickens, when he says: "From the position we may occupy toward the Northern States, as well as from our own internal structure of society, the government may, *from necessity, become strongly military* in its organization"? What mean the minute-men of Governor Wise? What the Southern boast that they have a rifle or shot-gun to each family?

What means the Pittsburgh mob? What this alacrity to save Forts Moultrie and Pinckney? What means the boast of the Southern men of being the best-armed people in the world, not counting the two hundred thousand stand of United States arms stored in Southern arsenals? Already Georgia has her arsenals, with eighty thousand muskets. What mean these lavish grants of money by Southern Legislatures to buy more arms? What mean these rumors of arms and force on the Mississippi? * * *

Mr. Speaker, he alone is just to his country; he alone has a mind unwarped by section, and a memory unparalyzed by fear, who warns against precipitancy. He who could hurry this nation to the rash wager of battle is not fit to hold the seat of legislation. What can justify the breaking up of our institutions into belligerent fractions? Better this marble Capitol were levelled to the dust; better were this Congress struck dead in its deliberations; better an immolation of every ambition and passion which here have met to shake the foundations of society than the hazard of these consequences! * * * I appeal to Southern men, who contemplate a step so fraught with hazard and strife, to pause. Clouds are about us!

There is lightning in their frown! Cannot we direct it harmlessly to the earth? The morning and evening prayer of the people I speak for in such weakness rises in strength to that Supreme Ruler who, in noticing the fall of a sparrow, cannot disregard the fall of a nation, that our States may continue to be as they have been—*one;* one in the unreserve of a mingled national being; one as the thought of God is one!

VII.

CIVIL WAR AND RECONSTRUCTION.

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THE transformation of the original secession movement into a *de facto* nationality made war inevitable, but acts of war had already taken place, with or without State authority. Seizures of forts, arsenals, mints, custom-houses, and navy yards, and captures of Federal troops, had completely extinguished the authority of the United States in the secession area, except at Fort Sumter in South Carolina, and Fort Pickens and the forts at Key West in Florida; and active operations to reduce these had been begun. When an attempt was made, late in January, 1861, to provision Fort Sumter, the provision steamer, *Star of the West*, was fired on by the South Carolina batteries and driven back. Nevertheless, the Buchanan administra-

tion succeeded in keeping the peace until its constitutional expiration in March, 1861, although the rival and irreconcilable administration at Montgomery was busily engaged in securing its exclusive authority in the seceding States.

Neither of the two incompatible administrations was anxious to strike the first blow. Mr. Lincoln's administration began with the policy outlined in his inaugural address, that of insisting on collection of the duties on imports, and avoiding all other irritating measures. Mr. Seward, Secretary of State, even talked of compensating for the loss of the seceding States by admissions from Canada and elsewhere. The urgent needs of Fort Sumter, however, soon forced an attempt to provision it; and this brought on a general attack upon it by the Confederate batteries around it. After a bombardment of two days, and a vigorous defence by the fort, in which no one was killed on either side, the fort surrendered, April 14, 1861. It was now impossible for the United States to

ignore the Confederate States any longer. President Lincoln issued a call for volunteers, and a proclamation announcing a blockade of the coast of the seceding States. A similar call on the other side and the issue of letters of marque and reprisal against the commerce of the United States were followed by an act of the Confederate Congress formally recognizing the existence of war with the United States. The two powers were thus locked in a struggle for life or death, the Confederate States fighting for existence and recognition, the United States for the maintenance of recognized boundaries and jurisdiction; the Confederate States claiming to be at war with a foreign power, the United States to be engaged in the suppression of individual resistance to the laws. The event was to decide between the opposing claims; and it was certain that the event must be the absolute extinction of either the Confederate States or the United States within the area of secession.

President Lincoln called Congress together

in special session, July 4, 1861; and Congress at once undertook to limit the scope of the war in regard to two most important points, slavery and State rights. Resolutions passed both Houses, by overwhelming majorities, that slavery in the seceding States was not to be interfered with, that the autonomy of the States themselves was to be strictly maintained, and that, when the Union was made secure, the war ought to cease. If the war had ended in that month, these resolutions would have been of some value; every month of the extension of the war made them of less value. They were repeatedly offered afterward from the Democratic side, but were as regularly laid on the table. Their theory, however, continued to control the Democratic policy to the end of the war.

For a time the original policy was to all appearance unaltered. The war was against individuals only; and peace was to be made with individuals only, the States remaining untouched, but the Confederate States being

blotted out in the process. The only requisite to recognition of a seceding State was to be the discovery of enough loyal or pardoned citizens to set its machinery going again. Thus the delegates from the forty western counties of Virginia were recognized as competent to give the assent of Virginia to the erection of the new State of West Virginia; and the Senators and Representatives of the new State actually sat in judgment on the reconstruction of the parent State, although the legality of the parent government was the evident measure of the constitutional existence of the new State. Such inconsistencies were the natural results of the changes forced upon the Federal policy by the events of the war, as it grew wider and more desperate.

The first of these changes was the inevitable attack upon slavery. The labor system of the seceding States was a mark so tempting that no belligerent should have been seriously expected to have refrained from aiming at it. January 1, 1863, after one hundred days' notice,

President Lincoln issued his Emancipation Proclamation, freeing the slaves within the enemy's lines as rapidly as the Federal arms should advance. This one break in the original policy involved, as possible consequences, all the ultimate steps of reconstruction. Readmission was no longer to be a simple restoration; abolition of slavery was to be a condition-precedent which the government could never abandon. If the President could impose such a condition, who was to put bounds to the power of Congress to impose limitations on its part? The President had practically declared, contrary to the original policy, that the war should continue until slavery was abolished; what was to hinder Congress from declaring that the war should continue until, in its judgment, the last remnants of the Confederate States were satisfactorily blotted out? This, in effect, was the basis of reconstruction, as finally carried out. The steady opposition of the Democrats only made the final terms the harder.

The principle urged consistently from the beginning of the war by Thaddeus Stevens, of Pennsylvania, was that serious resistance to the Constitution implied the suspension of the Constitution in the area of resistance. No one, he insisted, could truthfully assert that the Constitution of the United States was then in force in South Carolina; why should Congress be bound by the Constitution in matters connected with South Carolina? If the resistance should be successful, the suspension of the Constitution would evidently be perpetual; Congress alone could decide when the resistance had so far ceased that the operations of the Constitution could be resumed. The terms of readmission were thus to be laid down by Congress. To much the same effect was the different theory of Charles Sumner, of Massachusetts. While he held that the seceding States could not remove themselves from the national jurisdiction, except by successful war, he maintained that no Territory was obliged to become a State, and that no State was

obliged to remain a State; that the seceding States had repudiated their State-hood, had committed suicide as States, and had become Territories; and that the powers of Congress to impose conditions on their readmission were as absolute as in the case of other Territories. Neither of these theories was finally followed out in reconstruction, but both had a strong influence on the final process.

President Lincoln followed the plan subsequently completed by Johnson. The original (Pierpont) government of Virginia was recognized and supported. Similar governments were established in Tennessee, Louisiana, and Arkansas, and an unsuccessful attempt was made to do so in Florida. The amnesty proclamation of December, 1863, offered to recognize any State government in the seceding States formed by one tenth of the former voters who should take the oath of loyalty and support of the emancipation measures. At the following session of Congress, the first bill providing for congressional supervision of the re-

admission of the seceding States was passed, but the President retained it without signing it until Congress had adjourned. At the time of President Lincoln's assassination Congress was not in session, and President Johnson had six months in which to complete the work. Provisional governors were appointed, conventions were called, the State constitutions were amended by the abolition of slavery and the repudiation of the war debt, and the ordinances of secession were either voided or repealed. When Congress met in December, 1865, the work had been completed, the new State governments were in operation, and the XIIIth Amendment, abolishing slavery, had been ratified by aid of their votes. Congress, however, still refused to admit their Senators or Representatives. The first action of many of the new governments had been to pass labor, contract, stay, and vagrant laws which looked much like a re-establishment of slavery, and the majority in Congress felt that further guarantees for the security of the freedmen were necessary before the war could be truly said to be over.

Early in 1866 President Johnson imprudently carried matters into an open quarrel with Congress, which united the two thirds Republican majority in both Houses against him. The elections of the autumn of 1866 showed that the two thirds majorities were to be continued through the next Congress; and in March, 1867, the first Reconstruction Act was passed over the veto. It declared the existing governments in the seceding States to be provisional only; put the States under military governors until State conventions, elected with negro suffrage and excluding the classes named in the proposed XIVth Amendment, should form a State government satisfactory to Congress, and the State government should ratify the XIVth Amendment; and made this rule of suffrage imperative in all elections under the provisional governments until they should be readmitted. This was a semi-voluntary reconstruction. In the same month the new Congress, which met immediately on the adjournment of its predecessor, passed a supplementary act. It directed

the military governors to call the conventions before September 1st following, and thus enforced an involuntary reconstruction.

Tennessee had been readmitted in 1866. North Carolina, South Carolina, Florida, Alabama, Louisiana, and Arkansas were reconstructed under the acts, and were readmitted in 1868. Georgia was also readmitted, but was remanded again for expelling negro members of her Legislature, and came in under the secondary terms. Virginia, Georgia, Mississippi, and Texas, which had refused or broken the first terms, were admitted in 1870, on the additional terms of ratifying the XVth Amendment, which forbade the exclusion of the negroes from the elective franchise.

In Georgia the white voters held control of their State from the beginning. In the other seceding States the government passed, at various times and by various methods during the next six years after 1871, under control of the whites, who still retain control. One of the avowed objects of reconstruction has thus

failed; but, to one who does not presume that all things will be accomplished at a single leap, the scheme, in spite of its manifest blunders and crudities, must seem to have had a remarkable success. Whatever the political status of the negro may now be in the seceding States, it may be confidently affirmed that it is far better than it would have been in the same time under an unrestricted readmission. The whites, all whose energies have been strained to secure control of their States, have been glad, in return for this success to yield a measure of other civil rights to the freedmen, which is already fuller than ought to have been hoped for in 1867. And, as the general elective franchise is firmly imbedded in the organic law, its ultimate concession will come more easily and gently than if it were then an entirely new step.

During this long period of almost continuous exertion of national power there were many subsidiary measures, such as the laws authorizing the appointment of supervisors for congressional elections, and the use of Federal troops

as a *posse comitatus* by Federal supervisors, which were not at all in line with the earlier theory of the division between Federal and State powers. The Democratic party gradually abandoned its opposition to reconstruction, accepting it as a disagreeable but accomplished fact, but kept up and increased its opposition to the subsidiary measures. About 1876–7 a reaction became evident, whose ultimate results are not yet so clear as to make them a part of the political history of the country. As some example of the spirit of the two opposing classes of feeling, two specimens have been extracted from the "rider" debates of 1879.

Foreign affairs are not strictly a part of our subject; but, as going to show one of the dangerous features of the Civil War, the possibility of the success of the secession sentiment in England in obtaining the intervention of that country, the speech of Mr. Beecher in Liverpool, with the addenda of his audience, has been given.

Finally, the spirit of the new South, whose

paramount ascendency is the hope of that section, is most fitly represented by a sermon of President Haygood, of Georgia, in 1880. A comparison with the speech of Mr. Toombs, in 1860, will be a basis for a realization of the enormous changes of twenty years.

ABRAHAM LINCOLN,

OF ILLINOIS.

(BORN 1809, DIED 1865.)

FIRST INAUGURAL ADDRESS, MARCH 4, 1861.

FELLOW CITIZENS OF THE UNITED STATES:

In compliance with a custom as old as the government itself, I appear before you to address you briefly, and to take in your presence the oath prescribed by the Constitution of the United States to be taken by the President "before he enters on the execution of his office."

I do not consider it necessary at present for me to discuss those matters of administration about which there is no special anxiety or excitement.

Apprehension seems to exist, among the people of the Southern States, that by the accession of a Republican administration their property and their peace and personal security are to be endangered. There never has been

any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that "I have no purpose, directly or indirectly, to interfere with the institstitution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so." Those who nominated and elected me did so with full knowledge that I had made this and many similar declarations, and had never recanted them. And more than this, they placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:

"*Resolved*, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its judgment exclusively, is essential to the balance of power on which the perfection and endurance of our political fabric depend, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter

under what pretext, as among the gravest of crimes."

I now reiterate these sentiments; and, in doing so, I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace, and security of no section are to be in any wise endangered by the now incoming administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given, will be cheerfully given to all the States, when lawfully demanded, for whatever cause, as cheerfully to one section as to another.

There is much controversy about the delivering up of fugitives from service or labor. The clause I now read is as plainly written in the Constitution as any other of its provisions:

"No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

It is scarcely questioned that this provision was intended by those who made it for the reclaiming of what we call fugitive slaves; and

the intention of the lawgiver is the law. All members of Congress swear their support to the whole Constitution—to this provision as much as any other. To the proposition, then, that slaves whose cases come within the terms of this clause, "shall be delivered up," their oaths are unanimous. Now, if they would make the effort in good temper, could they not, with nearly equal unanimity, frame and pass a law by means of which to keep good that unanimous oath?

There is some difference of opinion whether this clause should be enforced by National or by State authority; but surely that difference is not a very material one. If the slave is to be surrendered, it can be of but little consequence to him, or to others, by what authority it is done. And should any one, in any case, be content that his oath should go unkept, on a mere unsubstantial controversy as to how it shall be kept?

Again, in any law upon this subject, ought not all the safeguards of liberty known in civilized and humane jurisprudence to be introduced, so that a free man be not, in any case, surrendered as a slave? And might it not be well, at the same time, to provide by law for

the enforcement of that clause of the Constitution which guarantees that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States"?

I take the official oath to-day with no mental reservation, and with no purpose to construe the Constitution or laws by any hypercritical rules. And while I do not choose now to specify particular acts of Congress as proper to be enforced, I do suggest that it will be much safer for all, both in official and private stations, to conform to and abide by all those acts which stand unrepealed, than to violate any of them, trusting to find impunity in having them held to be unconstitutional.

It is seventy-two years since the first inauguration of a President under our National Constitution. During that period, fifteen different and greatly distinguished citizens have, in succession, administered the Executive branch of the government. They have conducted it through many perils, and generally with great success. Yet, with all this scope for precedent, I now enter upon the same task for the brief constitutional term of four years, under great and peculiar difficulty. A disruption of the

Federal Union, heretofore only menaced, is now formidably attempted.

I hold that in contemplation of universal law, and of the Constitution, *the Union of these States is perpetual.* Perpetuity is implied, if not expressed, in the fundamental law of all national governments. It is safe to assert that no government proper ever had a provision in its organic law for its own termination. Continue to execute all the express provisions of our National Government, and the Union will endure forever—it being impossible to destroy it, except by some action not provided for in the instrument itself.

Again, if the United States be not a government proper, but an association of States in the nature of contract merely, can it, as a contract, be peaceably unmade by less than all the parties who made it? One party to a contract may violate it—break it, so to speak; but does it not require all to lawfully rescind it?

Descending from these general principles, we find the proposition that, in legal contemplation, the Union is perpetual, confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed, in fact, by the Articles of Association in 1774.

It was matured and continued by the Declaration of Independence in 1776. It was further matured, and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778. And, finally, in 1787, one of the declared objects for ordaining and establishing the Constitution was "to form a more perfect union."

But if destruction of the Union, by one, or by a part only, of the States, be lawfully possible, the Union is less perfect than before, the Constitution having lost the vital element of perpetuity.

It follows, from these views, that no State, upon its own mere motion, can lawfully get out of the Union; that resolves and ordinances to that effect are legally void; and that acts of violence within any State or States, against the authority of the United States, are insurrectionary or revolutionary, according to circumstances.

I therefore consider that, in view of the Constitution and the laws, the Union is unbroken, and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faith-

fully executed in all the States. Doing this I deem to be only a simple duty on my part; and I shall perform it, so far as practicable, unless my rightful masters, the American people, shall withhold the requisite means, or, in some authoritative manner, direct the contrary. I trust this will not be regarded as a menace, but only as the declared purpose of the Union that it will constitutionally defend and maintain itself. In doing this there need be no bloodshed or violence; and there shall be none, unless it be forced upon the National authority. The power confided to me will be used to hold, occupy, and possess the property and places belonging to the government, and to collect the duties and imposts; but beyond what may be necessary for these objects, there will be no invasion, no using of force against or among the people anywhere. Where hostility to the United States, in any interior locality, shall be so great and universal as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people for that object. While the strict legal right may exist in the government to enforce the exercise of these offices, the attempt to do so would b ;

so irritating, and so nearly impracticable withal, that I deem it better to forego, for the time, the uses of such offices.

The mails, unless repelled, will continue to be furnished in all parts of the Union. So far as possible, the people everywhere shall have that sense of perfect security which is most favorable to calm thought and reflection. The course here indicated will be followed, unless current events and experience shall show a modification or change to be proper, and in every case and exigency my best discretion will be exercised, according to circumstances actually existing, and with a view and a hope of a peaceful solution of the National troubles, and the restoration of fraternal sympathies and affections.

That there are persons in one section or another who seek to destroy the Union at all events, and are glad of any pretext to do it, I will neither affirm nor deny; but if there be such, I need address no word to them. To those, however, who really love the Union, may I not speak?

Before entering upon so grave a matter as the destruction of our National fabric, with all its benefits, its memories, and its hopes, would

it not be wise to ascertain why we do it? Will you hazard so desperate a step while there is any possibility that any portion of the certain ills you fly from have no real existence? Will you, while the certain ills you fly to are greater than all the real ones you fly from,—will you risk the omission of so fearful a mistake?

All profess to be content in the Union, if all constitutional rights can be maintained. Is it true, then, that any right, plainly written in the Constitution, has been denied? I think not. Happily the human mind is so constituted that no party can reach to the audacity of doing this. Think, if you can, of a single instance in which a plainly written provision of the Constitution has ever been denied. If, by the mere force of numbers, a majority should deprive a minority of any clearly written constitutional right, it might, in a moral point of view, justify revolution—certainly would if such right were a vital one. But such is not our case. All the vital rights of minorities and of individuals are so plainly assured to them by affirmations and negations, guaranties and prohibitions in the Constitution, that controversies never arise concerning them. But no organic law can ever be framed with a provision specifically applicable

to every question which may occur in practical administration. No foresight can anticipate, nor any document of reasonable length contain, express provisions for all possible questions. Shall fugitives from labor be surrendered by National or State authority? The Constitution does not expressly say. May Congress prohibit slavery in the Territories? The Constitution does not expressly say. Must Congress protect slavery in the Territories? The Constitution does not expressly say.

From questions of this class spring all our constitutional controversies, and we divide upon them into majorities and minorities. If the minority will not acquiesce, the majority must, or the government must cease. There is no other alternative; for continuing the government is acquiescence on one side or the other. If a minority in such case will secede rather than acquiesce, they make a precedent which, in turn, will divide and ruin them; for a minority of their own will secede from them whenever a majority refuses to be controlled by such a minority. For instance, why may not any portion of a new confederacy, a year or two hence, arbitrarily secede again, precisely as portions of the present Union now claim to

secede from it? All who cherish disunion sentiments are now being educated to the exact temper of doing this.

Is there such perfect identity of interests among the States to compose a new Union, as to produce harmony only, and prevent renewed secession?

Plainly, the central idea of secession is the essence of anarchy. A majority held in restraint by constitutional checks and limitations, and always changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people. Whoever rejects it, does, of necessity, fly to anarchy or to despotism. Unanimity is impossible; the rule of a minority, as a permanent arrangement, is wholy inadmissible; so that, rejecting the majority principle, anarchy or despotism, in some form, is all that is left. * * *

Physically speaking, we cannot separate. We cannot remove our respective sections from each other, nor build an impassable wall between them. A husband and wife may be divorced, and go out of the presence and beyond the reach of each other; but the different parts of our country cannot do this. They cannot but remain face to face, and intercourse, either

amicable or hostile, must continue between them. It is impossible, then, to make that intercourse more advantageous or more satisfactory after separation than before. Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws can among friends? Suppose you go to war, you cannot fight always, and when after much loss on both sides and no gain on either you cease fighting, the identical old questions as to terms of intercourse are again upon you.

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government they can exercise their constitutional right of amending it, or their revolutionary right to dismember or overthrow it. I cannot be ignorant of the fact that many worthy and patriotic citizens are desirous of having the National Constitution amended. * * * I understand a proposed amendment to the Constitution—which amendment, however, I have not seen—has passed Congress, to the effect that the Federal Government shall never interfere with the domestic institutions of the States, including that of persons held to service. To avoid

misconstruction of what I have said, I depart from my purpose not to speak of particular amendments, so far as to say that, holding such a provision now to be implied constitutional law, I have no objections to its being made express and irrevocable.

The Chief Magistrate derives all his authority from the people, and they have conferred none upon him to fix terms for the separation of the States. The people themselves can do this also if they choose, but the Executive, as such, has nothing to do with it. His duty is to administer the present government as it came to his hands, and to transmit it, unimpaired by him, to his successor. Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world? In our present differences is either party without faith of being in the right? If the Almighty Ruler of Nations, with his eternal truth and justice, be on your side of the North, or yours of the South, that truth and that justice will surely prevail, by the judgment of this great tribunal of the American people. By the frame of the Government under which we live, the same people have wisely given their public servants but little

power for mischief, and have with equal wisdom provided for the return of that little to their own hands at very short intervals. While the people retain their virtue and vigilance, no administration, by any extreme of wickedness or folly, can very seriously injure the government in the short space of four years.

My countrymen, one and all, think calmly and well upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to hurry any of you in hot haste to a step which you would never take deliberately, that object will be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied still have the old Constitution unimpaired, and on the sensitive point, the laws of your own framing under it; while the new Administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied hold the right side in this dispute there is still no single good reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land are still competent to adjust in the best way all our present difficulty. In your hands, my dissatis-

fied fellow-countrymen, and not in mine, are the momentous issues of civil war. The government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in Heaven to destroy the government, while I shall have the most solemn one to "preserve, protect, and defend" it.

I am loth to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break, our bonds of affection. The mystic cords of memory, stretching from every battle-field and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature.

JEFFERSON DAVIS,

OF MISSISSIPPI.

(BORN 1808.)

INAUGURAL ADDRESS, MONTGOMERY, ALA., FEBRUARY 18, 1861.

GENTLEMEN OF THE CONGRESS OF THE CONFEDERATE STATES OF AMERICA, FRIENDS, AND FELLOW-CITIZENS:

Our present condition, achieved in a manner unprecedented in the history of nations, illustrates the American idea that governments rest upon the consent of the governed, and that it is the right of the people to alter and abolish governments whenever they become destructive to the ends for which they were established. The declared compact of the Union from which we have withdrawn was to establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity; and when in the judgment

of the sovereign States now composing this Confederacy it has been perverted from the purposes for which it was ordained, and ceased to answer the ends for which it was established, a peaceful appeal to the ballot-box declared that, so far as they were concerned, the government created by that compact should cease to exist. In this they merely asserted the right which the Declaration of Independence of 1776 defined to be inalienable. Of the time and occasion of this exercise they as sovereigns were the final judges, each for himself. The impartial, enlightened verdict of mankind will vindicate the rectitude of our conduct; and He who knows the hearts of men will judge of the sincerity with which we labored to preserve the government of our fathers in its spirit.

The right solemnly proclaimed at the birth of the States, and which has been affirmed and reaffirmed in the bills of rights of the States subsequently admitted into the Union of 1789, undeniably recognizes in the people the power to resume the authority delegated for the purposes of government. Thus the sovereign States here represented proceeded to form this Confederacy; and it is by the abuse of language that their act has been denominated

revolution. They formed a new alliance, but within each State its government has remained. The rights of person and property have not been disturbed. The agent through whom they communicated with foreign nations is changed, but this does not necessarily interrupt their international relations. Sustained by the consciousness that the transition from the former Union to the present Confederacy has not proceeded from a disregard on our part of our just obligations or any failure to perform every constitutional duty, moved by no interest or passion to invade the rights of others, anxious to cultivate peace and commerce with all nations, if we may not hope to avoid war, we may at least expect that posterity will acquit us of having needlessly engaged in it. Doubly justified by the absence of wrong on our part, and by wanton aggression on the part of others, there can be no use to doubt the courage and patriotism of the people of the Confederate States will be found equal to any measure of defence which soon their security may require.

An agricultural people, whose chief interest is the export of a commodity required in every manufacturing country, our true policy is peace

and the freest trade which our necessities will permit. It is alike our interest and that of all those to whom we would sell and from whom we would buy, that there should be the fewest practicable restrictions upon the interchange of commodities. There can be but little rivalry between ours and any manufacturing or navigating community, such as the northeastern States of the American Union. It must follow, therefore, that mutual interest would invite good-will and kind offices. If, however, passion or lust of dominion should cloud the judgment or inflame the ambition of those States, we must prepare to meet the emergency, and maintain by the final arbitrament of the sword the position which we have assumed among the nations of the earth.

We have entered upon a career of independence, and it must be inflexibly pursued through many years of controversy with our late associates of the Northern States. We have vainly endeavored to secure tranquillity and obtain respect for the rights to which we were entitled. As a necessity, not a choice, we have resorted to the remedy of separation, and henceforth our energies must be directed to the conduct of our own affairs, and the perpetuity of the Con-

federacy which we have formed. If a just perception of mutual interest shall permit us peaceably to pursue our separate political career, my most earnest desire will have been fulfilled. But if this be denied us, and the integrity of our territory and jurisdiction be assailed, it will but remain for us with firm resolve to appeal to arms and invoke the blessing of Providence on a just cause. * * *

Actuated solely by a desire to preserve our own rights, and to promote our own welfare, the separation of the Confederate States has been marked by no aggression upon others, and followed by no domestic convulsion. Our industrial pursuits have received no check, the cultivation of our fields progresses as heretofore, and even should we be involved in war, there would be no considerable diminution in the production of the staples which have constituted our exports, in which the commercial world has an interest scarcely less than our own. This common interest of producer and consumer can only be intercepted by an exterior force which should obstruct its transmission to foreign markets, a course of conduct which would be detrimental to manufacturing and commercial interests abroad.

Should reason guide the action of the government from which we have separated, a policy so detrimental to the civilized world, the Northern States included, could not be dictated by even a stronger desire to inflict injury upon us; but if it be otherwise, a terrible responsibility will rest upon it, and the suffering of millions will bear testimony to the folly and wickedness of our aggressors. In the meantime there will remain to us, besides the ordinary remedies before suggested, the well-known resources for retaliation upon the commerce of an enemy. * * * We have changed the constituent parts but not the system of our government. The Constitution formed by our fathers is that of these Confederate States. In their exposition of it, and in the judicial construction it has received, we have a light which reveals its true meaning. Thus instructed as to the just interpretation of that instrument, and ever remembering that all offices are but trusts held for the people, and that delegated powers are to be strictly construed, I will hope by due diligence in the performance of my duties, though I may disappoint your expectation, yet to retain, when retiring, something of the good-will and confidence which will welcome my entrance into office.

It is joyous in the midst of perilous times to look around upon a people united in heart, when one purpose of high resolve animates and actuates the whole, where the sacrifices to be made are not weighed in the balance, against honor, right, liberty, and equality. Obstacles may retard, but they cannot long prevent, the progress of a movement sanctioned by its justice and sustained by a virtuous people. Reverently let us invoke the God of our fathers to guide and protect us in our efforts to perpetuate the principles which by His blessing they were able to vindicate, establish, and transmit to their posterity; and with a continuance of His favor, ever gratefully acknowledged, we may hopefully look forward to success, to peace, to prosperity.

ALEXANDER HAMILTON STEPHENS,

OF GEORGIA.

(BORN 1812, DIED 1884.)

THE "CORNER-STONE" ADDRESS; ATHENÆUM, SAVANNAH, GA., MARCH 21, 1861.

MR. MAYOR AND GENTLEMEN:

We are in the midst of one of the greatest epochs in our history. The last ninety days will mark one of the most interesting eras in the history of modern civilization. Seven States have in the last three months thrown off an old government and formed a new. This revolution has been signally marked, up to this time, by the fact of its having been accomplished without the loss of a single drop of blood. This new constitution, or form of government, constitutes the subject to which your attention will be partly invited.

In reference to it, I make this first general remark: it amply secures all our ancient rights, franchises, and liberties. All the great princi-

ples of Magna Charta are retained in it. No citizen is deprived of life, liberty, or property, but by the judgment of his peers under the laws of the land. The great principle of religious liberty, which was the honor and pride of the old Constitution, is still maintained and secured. All the essentials of the old Constitution, which have endeared it to the hearts of the American people, have been preserved and perpetuated. Some changes have been made. Some of these I should prefer not to have seen made; but other important changes do meet my cordial approbation. They form great improvements upon the old Constitution. So, taking the whole new constitution, I have no hesitancy in giving it as my judgment that it is decidedly better than the old.

Allow me briefly to allude to some of these improvements. The question of building up class interests, or fostering one branch of industry to the prejudice of another under the exercise of the revenue power, which gave us so much trouble under the old Constitution, is put at rest forever under the new. We allow the imposition of no duty with a view of giving advantage to one class of persons, in any trade or business, over those of another. All, under

our system, stand upon the same broad principles of perfect equality. Honest labor and enterprise are left free and unrestricted in whatever pursuit they may be engaged. This old thorn of the tariff, which was the cause of so much irritation in the old body politic, is removed forever from the new.

Again, the subject of internal improvements, under the power of Congress to regulate commerce, is put at rest under our system. The power, claimed by construction under the old Constitution, was at least a doubtful one ; it rested solely upon construction. We of the South, generally apart from considerations of constitutional principles, opposed its exercise upon grounds of its inexpediency and injustice. * * * Our opposition sprang from no hostility to commerce, or to all necessary aids for facilitating it. With us it was simply a question upon whom the burden should fall. In Georgia, for instance, we have done as much for the cause of internal improvements as any other portion of the country, according to population and means. We have stretched out lines of railroad from the seaboard to the mountains ; dug down the hills, and filled up the valleys, at a cost of $25,000,000. * * * No State was in greater need

of such facilities than Georgia, but we did not ask that these works should be made by appropriations out of the common treasury. The cost of the grading, the superstructure, and the equipment of our roads was borne by those who had entered into the enterprise. Nay, more, not only the cost of the iron—no small item in the general cost—was borne in the same way, but we were compelled to pay into the common treasury several millions of dollars for the privilege of importing the iron, after the price was paid for it abroad. What justice was there in taking this money, which our people paid into the common treasury on the importation of our iron, and applying it to the improvement of rivers and harbors elsewhere? The true principle is to subject the commerce of every locality to whatever burdens may be necessary to facilitate it. If Charleston harbor needs improvement, let the commerce of Charleston bear the burden. * * * This, again, is the broad principle of perfect equality and justice; and it is especially set forth and established in our new constitution.

Another feature to which I will allude is that the new constitution provides that cabinet ministers and heads of departments may have

the privilege of seats upon the floor of the Senate and House of Representatives, may have the right to participate in the debates and discussions upon the various subjects of administration. I should have preferred that this provision should have gone further, and required the President to select his constitutional advisers from the Senate and House of Representatives. That would have conformed entirely to the practice in the British Parliament, which, in my judgment, is one of the wisest provisions in the British constitution. It is the only feature that saves that government. It is that which gives it stability in its facility to change its administration. Ours, as it is, is a great approximation to the right principle.

Another change in the Constitution relates to the length of the tenure of the Presidential office. In the new constitution it is six years instead of four, and the President is rendered ineligible for a re-election. This is certainly a decidedly conservative change. It will remove from the incumbent all temptation to use his office or exert the powers confided to him for any objects of personal ambition. The only incentive to that higher ambition which should move and actuate one holding such high trusts

in his hands will be the good of the people, the advancement, happiness, safety, honor, and true glory of the Confederacy.

But, not to be tedious in enumerating the numerous changes for the better, allow me to allude to one other—though last, not least. The new constitution has put at rest forever all the agitating questions relating to our peculiar institution, African slavery as it exists amongst us, the proper status of the negro in our form of civilization. This was the immediate cause of the late rupture and present revolution. Jefferson, in his forecast, had anticipated this as the "rock upon which the old Union would split." He was right. What was conjecture with him is now a realized fact. But whether he fully comprehended the great truth upon which that rock stood and stands may be doubted. The prevailing ideas entertained by him and most of the leading statesmen at the time of the formation of the old Constitution were that the enslavement of the African was in violation of the laws of nature; that it was wrong in principle, socially, morally, and politically. It was an evil they knew not well how to deal with; but the general opinion of the men of that day was that, somehow or other, in

the order of Providence, the institution would be evanescent and pass away. This idea, though not incorporated in the Constitution, was the prevailing idea at that time. The Constitution, it is true, secured every essential guarantee to the institution while it should last, and hence no argument can be justly urged against the constitutional guaranties thus secured, because of the common sentiment of the day. Those ideas, however, were fundamentally wrong. They rested upon the assumption of the equality of races. This was an error. It was a sandy foundation, and the government built upon it fell when "the storm came and the wind blew."

Our new government is founded upon exactly the opposite idea; its foundations are laid, its corner-stone rests, upon the great truth that the negro is not equal to the white man, that slavery—subordination to the superior race—is his natural and normal condition.

This, our new government, is the first in the history of the world based upon this great physical, philosophical, and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science. It has been so even amongst us. Many who hear me, perhaps, can recollect well

that this truth was not generally admitted, even within their day. The errors of the past generation still clung to many as late as twenty years ago. Those at the North who still cling to these errors, with a zeal above knowledge, we justly denominate fanatics. All fanaticism springs from an aberration of the mind, from a defect in reasoning. It is a species of insanity. One of the most striking characteristics of insanity, in many instances, is forming correct conclusions from fancied or erroneous premises. So with the antislavery fanatics; their conclusions are right, if their premises were. They assume that the negro is equal, and hence conclude that he is entitled to equal rights and privileges with the white man. If their premises were correct, their conclusions would be logical and just; but, their premise being wrong, their whole argument fails. I recollect once hearing a gentleman from one of the Northern States, of great power and ability, announce in the House of Representatives, with imposing effect, that we of the South would be compelled ultimately to yield upon this subject of slavery, that it was as impossible to war successfully against a principle in politics as it was in physics or mechanics; that the principle would ulti-

mately prevail; that we, in maintaining slavery as it exists with us, were warring against a principle, founded in nature, the principle of the equality of men. The reply I made to him was that upon his own grounds we should ultimately succeed, and that he and his associates in this crusade against our institutions would ultimately fail. The truth announced, that it was as impossible to war successfully against a principle in politics as it was in physics and mechanics, I admitted; but told him that it was he, and those acting with him, who were warring against a principle. They were attempting to make things equal which the Creator had made unequal.

In the conflict, thus far, success has been on our side, complete throughout the length and breadth of the Confederate States. It is upon this, as I have stated, our social fabric is firmly planted; and I cannot permit myself to doubt the ultimate success of a full recognition of this principle throughout the civilized and enlightened world.

As I have stated, the truth of this principle may be slow in development, as all truths are and ever have been, in the various branches of science. It was so with the principles an-

nounced by Galileo. It was so with Adam Smith and his principles of political economy. It was so with Harvey and his theory of the circulation of the blood; it is stated that not a single one of the medical profession, living at the time of the announcement of the truths made by him, admitted them. Now they are universally acknowledged. May we not, therefore, look with confidence to the ultimate universal acknowledgement of the truths upon which our system rests? It is the first government ever instituted upon the principles in strict conformity to nature and the ordination of Providence in furnishing the materials of human society. Many governments have been founded upon the principle of the subordination and serfdom of certain classes of the same race; such were and are in violation of the laws of nature. Our system commits no such violation of nature's laws. With us, all the white race, however high or low, rich or poor, are equal in the eye of the law. Not so with the negro; subordination is his place. He, by nature or by the curse against Canaan, is fitted for that condition which he occupies in our system. The architect, in the construction of buildings, lays the foundation with the proper

material—the granite; then comes the brick or the marble. The substratum of our society is made of the material fitted by nature for it; and by experience we know that it is best not only for the superior race, but for the inferior race, that it should be so. It is, indeed, in conformity with the ordinance of the Creator. It is not for us to inquire into the wisdom of His ordinances, or to question them. For His own purposes He has made one race to differ from another, as He has made "one star to differ from another star in glory." The great objects of humanity are best attained when there is conformity to His laws and decrees, in the formation of governments as well as in all things else. Our Confederacy is founded upon principles in strict conformity with these views. This stone, which was rejected by the first builders, "is become the chief of the corner," the real "corner-stone" in our new edifice. * * *

Mr. Jefferson said in his inaugural, in 1801, after the heated contest preceding his election, that there might be differences of opinion without differences of principle, and that all, to some extent, had been Federalists, and all Republicans. So it may now be said of us that, whatever differences of opinion as to the best

policy in having a co-operation with our border sister slave States, if the worst came to the worst, as we were all co-operationists, we are all now for independence, whether they come or not. * * *

We are a young republic, just entering upon the arena of nations; we will be the architects of our own fortunes. Our destiny, under Providence, is in our own hands. With wisdom, prudence, and statesmanship on the part of our public men, and intelligence, virtue, and patriotism on the part of the people, success to the full measure of our most sanguine hopes may be looked for. But, if unwise counsels prevail, if we become divided, if schisms arise, if dissensions spring up, if factions are engendered, if party spirit, nourished by unholy personal ambition, shall rear its hydra head, I have no good to prophesy for you. Without intelligence, virtue, integrity, and patriotism on the part of the people, no republic or representative government can be durable or stable.

STEPHEN ARNOLD DOUGLAS,

OF ILLINOIS.

(BORN 1813, DIED 1861.)

ON THE WAR; ADDRESS TO THE ILLINOIS LEGISLATURE, SPRINGFIELD, ILLS., APRIL 25, 1861.

GENTLEMEN:

I am not insensible to the patriotic motives which prompted you to do me the honor to invite me to address you, on this occasion, upon the momentous issues now presented in the condition of the country. With a heart filled with sadness and grief I comply with your request.

For the first time since the adoption of this Federal Constitution, a widespread conspiracy exists to destroy the best government the sun of heaven ever shed its rays upon. Hostile armies are now marching upon the Federal capital, with a view of planting a revolutionary flag upon its dome. * * * The boast has gone forth by the secretary of war of this revolutionary government that on the first day of May the revo-

lutionary flag shall float from the walls of the Capitol at Washington, and that on the fourth day of July the revolutionary army shall hold possession of the Hall of Independence. The simple question presented to us is whether we will wait for the enemy to carry out this boast of making war on our soil, or whether we will rush as one man to the defence of this government, and its capital, to defend it from the hands of all assailants who have threatened it. Already the piratical flag has been unfurled against the commerce of the United States. Letters of marque have been issued, appealing to the pirates of the world to assemble under that revolutionary flag, and commit depredations on the commerce carried on under the stars and stripes. Hostile batteries have been planted upon its fortresses; custom-houses have been established; and we are required now to pay tribute and taxes without having a voice in making the laws imposing them, or having a share in the distribution of them after they have been collected. The question is whether this war of aggression shall proceed, and we remain with folded arms inactive spectators, or whether we shall meet the aggressors at the threshold and turn back the tide. * * *

I ask you to reflect and then point out any one act that has been done, any one duty that has been omitted to be done, of which these disunionists can justly complain. Yet we are told, simply because one party has succeeded in a Presidential election, therefore they choose to consider that their liberties are not safe and therefore they will break up the government. I had supposed that it was a cardinal and fundamental principle of our system of government that the decision of the people at the ballot-box, without a fraud, according to the forms of the Constitution, was to command the explicit obedience of every good citizen. If their defeat at a Presidential election is to justify the minority, or any portion of the minority, in raising the traitorous hand of rebellion against the constituted authorities, you will find the future history of the United States written in the history of Mexico. According to my reading of Mexican history, there never has been one Presidential term, from the time of the revolution of 1820 down to this day, when the candidate elected by the people ever served his four years. In every instance, either the defeated candidate has seized upon the Presidential chair by the use of the bayonet, or he has turned out the only duly elected

candidate before his term expired. Are we to inaugurate this Mexican system in the United States of America? * * * The first duty of an American citizen, or of a citizen of any constitutional government, is obedience to the constitution and laws of his country. I have no apprehension that any man in Illinois or beyond the limits of our own beloved State will misconstrue or misunderstand my motive. So far as any of the partisan questions are concerned, I stand in equal, eternal, and undying opposition to the Republicans and the Secessionists. You all know that I am a good partisan fighter in partisan times. And you will find me equally as good a patriot when the country is in danger. Permit me to say to the assembled Representatives and Senators of our good old State, composed of men of both political parties, that in my opinion it is your duty to lay aside your party creeds and party platforms, to lay aside your party organizations and partisan appeals, to forget that you were divided, until you have rescued the government and the country from their assailants. Then resume your partisan positions, according to your wishes. Give me a country first, that my children may live in peace; then we will have a theatre for our party organizations to operate upon.

I appeal to you, my countrymen, men of all parties, not to allow your passions to get the better of your judgments. Do not allow your vengeance upon the authors of this great iniquity to lead you into rash and cruel and desperate acts upon those who may differ from you in opinion. Let the spirit of moderation and of justice prevail. You cannot expect, within so few weeks after an excited political canvass, that every man can rise to the level of forgetting his partisan prejudices and sacrifice every thing upon the altar of his country; but allow me to say to you, whom I have opposed and warred against with an energy you will respect,—allow me to say to you that you will not be true to your country if you ever attempt to manufacture partisan capital out of the miseries of your country. When calling upon Democrats to rally to the tented field, leaving wife, child, father, and mother behind them, to rush to the rescue of the President that you elected, do not make war upon them and try to manufacture partisan capital out of a struggle in which they are engaged from the holiest and purest of motives. Then I appeal to you, my Democratic friends * * * do not allow the mortification growing out of a defeat in a par-

tisan struggle, and the elevation to power of a party that we firmly believed to be dangerous to the country,—do not let that convert you from patriots to traitors to your native land. Whenever our government is assailed, when hostile armies are marching under rude and odious banners against the government of our country, the shortest way to peace is the most stupendous and unanimous preparation for war. The greater the unanimity the less blood will be shed. The more prompt and energetic is the movement, and the more important it is in numbers, the shorter will be the struggle.

While all the States of this Union, and every citizens of every State, has a priceless legacy dependent upon the success of our efforts to maintain this government, we in the great valley of the Mississippi have peculiar interests and inducements to the struggle. What is the attempt now being made? Seven States of this Union choose to declare that they will no longer obey the behest of the United States, that they will withdraw from the government established by our fathers, that they will dissolve, without our consent, the bonds that have united us together. But, not content with that, they proceed to invade and obstruct our dearest and

most inalienable rights, secured to us by the Constitution. One of their first acts is to establish a battery of cannon upon the banks of the Mississippi, on the dividing line between the States of Mississippi and Tennessee, and require every steamer that passes down the river to come to under a gun, to receive a custom-house officer on board to prescribe where the boat may land, and upon what terms it may put out a barrel of flour or a cask of bacon, to cut off our freedom of trade upon the river and on the borders of those States.

We are called on to sanction this policy. Before consenting to their right to commit such acts, I implore you to consider that the same principle which will allow the cotton States to exclude us from the ports of the Gulf, would authorize the New England States and New York and Pennsylvania to exclude us from the Atlantic, and the Pacific States to exclude us from the ports of that ocean. Whenever you sanction this doctrine of secession, you authorize the States bordering on the Atlantic and Pacific oceans to withdraw from us, form alliances among themselves, and exclude us from the markets of the world and from communication with all the rest of Christendom. Not

only this, but there follows a tariff of duties on imports, the levying of taxes on every pound of tea and coffee and sugar and every yard of cloth that we may import for our consumption ; the levying, too, of an export duty upon every pound of meat and every bushel of corn that we may choose to send to the markets of the world to pay for our imports. Bear in mind that these very cotton States, who in former times have been so boisterous in their demands for free trade, have, among their first acts, established an export duty on cotton for the first time in American history.

It is an historical fact, well known to every man who has read the debates of the convention which framed the Constitution of the United States, that the Southern States refused to become parties to the Constitution unless there was an express provision in the Constitution forbidding Congress to levy an export duty on any product of the earth. No sooner have these cotton States seceded than an export duty is levied ; and, if they will levy it on their cotton, do you not think that they will levy it on our pork, and our beef, and our corn, and our wheat, and our manufactured articles, and on all we have to sell? Then what is the

proposition? It is to enable the tier of States bordering on the Atlantic and Pacific, and on the Gulf, surrounding us on all sides, to withdraw from our Union, form alliances among themselves, and then levy taxes on us without our consent, and collect revenue without giving us any just proportion of all the amount collected. Can we submit to taxation without representation? Can we permit nations foreign to us to collect revenues out of our produce, out of the fruit of our industry? I ask the citizens of Illinois, I ask every citizen in the great basin between the Rocky Mountains and the Alleghanies, in the valleys of the Ohio, the Mississippi, and the Missouri, to tell me whether he is willing to sanction a line of policy that may isolate us from the markets of the world, and make us provinces dependent on the powers that thus choose to isolate us?

I warn you, my countrymen, that, whenever you permit this to be done in the Southern States, New York will very soon follow their example. New York, that great port, where two thirds of our revenue are collected, and whence two thirds of our goods are exported, will not long be able to resist the temptation of taxing fifteen millions of people in the great

West, when she can thus monopolize their resources, and release her own people from any taxation whatever. * * * Come what may, war, if it must be, though I deplore it as a great calamity, yet, come what may, the people of the Mississippi valley can never consent to be excluded from free access to the ports of the Atlantic, the Pacific, and the Gulf of Mexico. I am not prepared to take up arms, or to sanction a policy of our government to take up arms, to make any war on the rights of the Southern States, on their institutions, on their rights of person or property, but, on the contrary, would rush to their defence and protect them from assault; but, while that is the case, I will never cease to urge my countrymen to take arms to fight to the death in defence of our indefeasible rights. Hence, if a war does come, it is a war of self-defence on our part. It is a war in defence of our own just rights, in defence of the government which we have inherited as a priceless legacy from our patriotic fathers, in defence of our great rights of freedom of trade, commerce, transit, and intercourse from the centre to the circumference of this great continent. These are rights we must struggle for and never surrender. * * *

I see no path of ambition open in a bloody struggle for triumphs over my countrymen. There is no path of ambition open to me in a divided country. Hence, whatever we do must be the result of duty, of conviction, of patriotic duty, the duty we owe to ourselves, to our posterity, and to the friends of constitutional liberty and self-government throughout the world.

My friends, I can say no more. To discuss these topics is the most painful duty of my life. It is with a sad heart, with a grief that I have never before experienced, that I have to contemplate this fearful struggle; but I believe in my conscience that it is a duty we owe to ourselves, our children, and our God, to protect this government and that flag from every assailant, be he who he may.

CLEMENT L. VALLANDIGHAM,

OF OHIO.

(BORN 1820, DIED 1871.)

ON THE WAR AND ITS CONDUCT; HOUSE OF REPRESENTATIVES, JANUARY 14, 1863.

SIR, I am one of that number who have opposed abolitionism, or the political development of the antislavery sentiment of the North and West, from the beginning. In school, at college, at the bar, in public assemblies, in the Legislature, in Congress, boy and man, in time of peace and in time of war, at all times and at every sacrifice, I have fought against it. It cost me ten years' exclusion from office and honor at that period of life when honors are sweetest. No matter; I learned early to do right and to wait. Sir, it is but the development of the spirit of intermeddling, whose children are strife and murder. Cain troubled himself about the sacrifices of Abel, and slew his brother. Most of the wars, contentions,

litigation, and bloodshed, from the beginning of time, have been its fruits. The spirit of non-intervention is the very spirit of peace and concord. * * *

The spirit of intervention assumed the form of abolitionism because slavery was odious in name and by association to the Northern mind, and because it was that which most obviously marks the different civilizations of the two sections. The South herself, in her early and later efforts to rid herself of it, had exposed the weak and offensive parts of slavery to the world. Abolition intermeddling taught her at last to search for and defend the assumed social, economic, and political merit and values of the institution. But there never was an hour from the beginning when it did not seem to me as clear as the sun at broad noon that the agitation in any form in the North and West of the slavery question must sooner or later end in disunion and civil war. This was the opinion and prediction for years of Whig and Democratic statesmen alike; and, after the unfortunate dissolution of the Whig party in 1854, and the organization of the present Republican party upon the exclusive antislavery and sectional basis, the event was inevitable,

because, in the then existing temper of the public mind, and after the education through the press and the pulpit, the lecture and the political canvass, for twenty years, of a generation taught to hate slavery and the South, the success of that party, possessed as it was of every engine of political, business, social, and religious influence, was certain. It was only a question of time, and short time. Such was its strength, indeed, that I do not believe that the union of the Democratic party in 1860 on any candidate, even though he had been supported also by the entire so-called conservative or anti-Lincoln vote of the country, would have availed to defeat it; and, if it had, the success of the Abolition party would only have been postponed four years longer. The disease had fastened too strongly upon the system to be healed until it had run its course. The doctrine of "the irrepressible conflict" had been taught too long, and accepted too widely and earnestly, to die out until it should culminate in secession and disunion, and, if coercion were resorted to, then in civil war. I believed from the first that it was the purpose of some of the apostles of that doctrine to force a collision between the North and the South, either to bring about a

separation or to find a vain but bloody pretext for abolishing slavery in the States. In any event, I knew, or thought I knew, that the end was certain collision and death to the Union.

Believing thus, I have for years past denounced those who taught that doctrine, with all the vehemence, the bitterness, if you choose —I thought it a righteous, a patriotic bitterness —of an earnest and impassioned nature. * * * But the people did not believe me, nor those older and wiser and greater than I. They rejected the prophecy, and stoned the prophets. The candidate of the Republican party was chosen President. Secession began. Civil war was imminent. It was no petty insurrection, no temporary combination to obstruct the execution of the laws in certain States, but a revolution, systematic, deliberate, determined, and with the consent of a majority of the people of each State which seceded. Causeless it may have been, wicked it may have been, but there it was—not to be railed at, still less to be laughed at, but to be dealt with by statesmen as a fact. No display of vigor or force alone, however sudden or great, could have arrested it even at the outset. It was disunion at last. The wolf had come, but civil war had not yet

followed. In my deliberate and solemn judgment there was but one wise and masterly mode of dealing with it. Non-coercion would avert civil war, and compromise crush out both abolitionism and secession. The parent and the child would thus both perish. But a resort to force would at once precipitate war, hasten secession, extend disunion, and while it lasted utterly cut off all hope of compromise. I believed that war, if long enough continued, would be final, eternal disunion. I said it; I meant it; and accordingly, to the utmost of my ability and influence, I exerted myself in behalf of the policy of non-coercion. It was adopted by Mr. Buchanan's administration, with the almost unanimous consent of the Democratic and Constitutional Union parties in and out of Congress; and in February, with the consent of a majority of the Republican party in the Senate and the House. But that party most disastrously for the country refused all compromise. How, indeed, could they accept any? That which the South demanded, and the Democratic and Conservative parties of the North and West were willing to grant, and which alone could avail to keep the peace and save the Union, implied a surrender of the sole

vital element of the party and its platform, of the very principle, in fact, upon which it had just won the contest for the Presidency, not, indeed, by a majority of the popular vote—the majority was nearly a million against it,—but under the forms of the Constitution. Sir, the crime, the "high crime," of the Republican party was not so much its refusal to compromise, as its original organization upon a basis and doctrine wholly inconsistent with the stability of the Constitution and the peace of the Union.

The President-elect was inaugurated; and now, if only the policy of non-coercion could be maintained, and war thus averted, time would do its work in the North and the South, and final peaceable adjustment and reunion be secured. Some time in March it was announced that the President had resolved to continue the policy of his predecessor, and even go a step farther, and evacuate Sumter and the other Federal forts and arsenals in the seceded States. His own party acquiesced; the whole country rejoiced. The policy of non-coercion had triumphed, and for once, sir, in my life, I found myself in an immense majority. No man then pretended that a Union founded in

consent could be cemented by force. Nay, more, the President and the Secretary of State went farther. Said Mr. Seward, in an officia diplomatic letter to Mr. Adams: "For these reasons, he (the President) would not be disposed to reject a cardinal dogma of theirs (the secessionists), namely, that the Federal Government could not reduce the seceding States to obedience by conquest, although he were disposed to question that proposition. But in fact the President willingly accepts it as true. Only an imperial or despotic government could subjugate thoroughly disaffected and insurrectionary members of the State. * * * This Federal republican system of ours is, of all forms of government, the very one which is most unfitted for such a labor." This, sir, was on the 10th of April, and yet on that very day the fleet was under sail for Charleston. The policy of peace had been abandoned. Collision followed; the militia were ordered out; civil war began.

Now, sir, on the 14th of April, I believed that coercion would bring on war, and war disunion. More than that, I believed what you all believe in your hearts to-day, that the South could never be conquered—never. And not

that only, but I was satisfied—and you of the Abolition party have now proved it to the world—that the secret but real purpose of the war was to abolish slavery in the States. * * * These were my convictions on the 14th of April. Had I changed them on the 15th, when I read the President's proclamation, * * * I would have changed my public conduct also. But my convictions did not change. I thought that, if war was disunion on the 14th of April, it was equally disunion on the 15th, and at all times. Believing this, I could not, as an honest man, a Union man, and a patriot, lend an active support to the war; and I did not. I had rather my right arm were plucked from its socket and cast into eternal burnings, than, with my convictions, to have thus defiled my soul with the guilt of moral perjury. Sir, I was not taught in that school which proclaims that "all is fair in politics." I loathe, abhor, and detest the execrable maxim. * * * Perish office, perish honors, perish life itself; but do the thing that is right, and do it like a man. * * *

Certainly, sir; I could not doubt what he must suffer who dare defy the opinions and the passions, not to say the madness, of twenty

millions of people. * * * I did not support the war; and to-day I bless God that not the smell of so much as one drop of its blood is upon my garments. Sir, I censure no brave man who rushed patriotically into this war; neither will I quarrel with any one, here or elsewhere, who gave to it an honest support. Had their convictions been mine, I, too, would doubtless have done as they did. With my convictions I could not. But I was a Representative. War existed—by whose act no matter—not by mine. The President, the Senate, the House, and the country all said that there should be war * * * and I belonged to that school of politics which teaches that, when we are at war, the government—I do not mean the Executive alone, but the government—is entitled to demand and have, without resistance, such number of men, and such amount of money and supplies generally, as may be necessary for the war, until an appeal can be had to the poople. Before that tribunal alone, in the first instance, must the question of the continuance of the war be tried. This was Mr. Calhoun's opinion * * * in the Mexican war. Speaking of that war in 1847, he said: "Every Senator knows that I was opposed to the war; but none but myself knows

the depth of that opposition. With my conception of its character and consequences, it was impossible for me to vote for it. * * * But, after war was declared, by authority of the government, I acquiesced in what I could not prevent, and what it was impossible for me to arrest; and I then felt it to be my duty to limit my efforts to give such direction to the war as would, as far as possible, prevent the evils and dangers with which it threatened the country and its institutions."

Sir, I adopt all this as my position and my defence, though, perhaps, in a civil war, I might fairly go farther in opposition. I could not, with my convictions, vote men and money for this war, and I would not, as a Representative, vote against them. I meant that, without opposition, the President might take all the men and all the money he should demand, and then to hold him to a strict responsibility before the people for the results. Not believing the soldiers responsible for the war or its purposes or its consequences, I have never withheld my vote where their separate interests were concerned. But I have denounced from the beginning the usurpations and the infractions, one and all, of law and constitution, by the President and

those under him; their repeated and persistent arbitrary arrests, the suspension of *habeas corpus*, the violation of freedom of the mails, of the private house, of the press, and of speech, and all the other multiplied wrongs and outrages upon public liberty and private right, which have made this country one of the worst despotisms on earth for the past twenty months, and I will continue to rebuke and denounce them to the end; and the people, thank God, have at last heard and heeded, and rebuked them too. To the record and to time I appeal again for my justification.

CARL SCHURZ,

OF WISCONSIN.

(BORN 1829.)

ON THE DEMOCRATIC WAR POLICY; ACADEMY OF MUSIC, MILWAUKEE, OCTOBER 28, 1864.

MR. PRESIDENT AND FELLOW-CITIZENS:

My experience leads me to believe that the party arrayed against the Government of the Republic in this crisis contains a large number of people who honestly mean to do right, but who by force of habit are following their accustomed leaders without questioning the consistency of their conduct and the candor and truthfulness of their representations. Their principal failing is that they are too careless to think for themselves, for a little independence of mind joined to their good intentions would certainly lead them to see what is right, and to act accordingly. It is to them that I will address myself. From the Democratic leaders I

will appeal to the Democratic masses. I shall abstain from all attempts to captivate their senses with oratorical display, and address myself to their common-sense with the simplest language at my command.

The object of our struggle with the rebellious people of the South is and ought to be to *restore the Union, and to make it a permanent institution.* * * * Our disagreement seems to be about the means and measures by which the common object is to be achieved. Let us review the points of difference. * * *

Your leaders tell you that negro slaves are property just in the same measure and manner as horses and cattle and provisions are property. Granted for argument's sake. As our armies penetrated into the enemy's country, a large quantity of that negro property fell into their hands. What were we to do with the captured negroes? Send them back to their masters? or keep them, feed them, clothe them for the purpose of returning them at some future time? We captured also cavalry horses and beeves. Who would have thought of sending them back to their owners, or of feeding and grooming them without using them? The captured cattle property was butchered and distributed in

the shape of rations; upon the captured horse property we mount our cavalrymen; why, then, in the name of common-sense, should we not put the captured negro property to such use as it was capable of? Do you see how absurd it would be to object to this? And, mark you well, Democrats, this property theory is yours, and I have abstained from discussing the matter from the standpoint of my own principles.

But the principal thing against which your leaders protested was that the negroes were armed and employed as soldiers in the field. Keep in mind I am still for argument's sake speaking of the negro as a mere species of property. Why, then, should negro property not be used for fighting purposes? It is reasonable, nay, it is necessary, that when engaged in war we should put all our means and instruments of warfare to the highest measure of usefulness. We want our rifles and our artillery to have as much power of destruction as possible. If we could procure a cannon that would demolish a whole regiment at one blow, would we not use it? If we could make our horses fight, instead of merely letting them carry our cavalrymen, would we not do so? Why, then, not put the negro to the highest measure of his

usefulness? If he is able to fight, instead of merely driving teams or carrying bundles, why should we not make him fight? Would it not be folly to abstain from doing so? Do not the rebels make the savage Indian fight against civilized Union soldiers? Would they not make alligators fight in their ranks if alligators were capable of discipline? Why, then, in the name of common-sense, was it not better to make the negro fight for the Union, instead of obliging him to work for the rebellion? I repeat it, Democrats, and I do not want you to forget it: in reasoning thus I have placed myself upon your own ground, and I mean to hold you to the logical consequences of your own position; if the negro is the property of our enemies, what reason is there that we should not use him as the enemy's property captured in war?

But your leaders tell you that this measure has so irritated our Southern brethren, that reconciliation has become impossible unless we abandon it. Emancipation and the arming of negroes irritated the rebels. I doubt it not. You will find generally that that irritates them most which hurts them most. Look at our military and naval leaders. Grant, Sherman, Sheridan, and Farragut have irritated the reb-

els very severely. You have chosen as your candidate for the Presidency a General whose nomination does not irritate the rebels at all, for the reason that the General never hurt them at all. Would it not be wise to go on irritating the rebellion by hurting it? Who knows? We may succeed in bringing about its death by excessive irritation. * * *

I might now close this review of the arguments by which your leaders try to convince you that a change of administration and of policy is necessary, were it not for one charge they bring against the government, and upon which they harp with the most vociferous persistency. It is that the government has during this war disregarded and violated the rights and liberties of the citizen. I am not the man to equivocate about such matters; I never shrink from discussing the merits or demerits of my own party, and I never deny what I believe to be a fact. Yes, the government has, in some cases, arrested and punished individuals for treasonable talk, and suspended newspapers for treasonable publications, especially when such talk or publications tended to impede recruiting or to induce soldiers to desert their colors. If I stood here as a mere advocate of the gov-

ernment, I might examine case after case, and say this or that in justification of those in authority. But I will abstain. I will even go so far as to admit that, in some instances, the government would have acted with more wisdom and justice if it had abstained from such interference. I will go still further, and say that I am, on principle, opposed to such acts, and that, in most cases, the evil done is greater than the evil redressed. I have a right to speak so, for I have always spoken so; at an early period of this war I warned the people of the dangers arising from such encroachments, and from the condition of things that produces them.

But where are the facts that would justify the wild denunciations hurled against the goverment by your Democratic leaders? Where are the "atrocities" which bear out the assertion "that in this country free speech and free press have ceased to exist? that this government is the worst despotism the world ever saw?" I ask you in all candor, did you ever attend a Democratic meeting during this election campaign? If you have, then I defy you to show me in the English dictionary a term of opprobrium that has not, by your Democratic

speakers, been most lavishly applied to the Government of this Republic. Let your imagination invent a calumny, or an insult, that has not been thrown in the face of the President of the United States. And now, while saying with impunity all they do say, they complain that they cannot say what they please? Again, do you read Democratic newspapers? Tell me, are not, day after day, the President and all the members of the government denounced and vilified as the meanest and most execrable villains in all Christendom? And now, while writing what they do write every day with impunity, they insist upon complaining that they cannot write what they please. * * *

But, you say, the restoration of the Union is not our only object; we want to make the Union a permanent institution. Well, then, how is this to be done? I appeal again to your common-sense.

If you want to give permanency to the restored Union, the first thing necessary is that you put to rest the great element of discord, which has continually disturbed the repose and threatened the unity of the republic. And what is that element? It is the omnipresent,

eternal slavery question. Are you not heartily tired of it? You always assured us that you were, and I respond by assuring you that I am. I wish I had never heard of it before, and I wish I might never again hear of it hereafter. Indeed, we have a right to be tired of it. For forty years it has agitated the public mind with continually increasing fury. No compromise could quiet it, no apparent settlement could appease it. Is it necessary that I should show you why it sprang up again and again in spite of the efforts made to keep it down? I have discussed the point a hundred times; I will not repeat what has been said so often. Enough, it did keep the body politic in ceaseless agitation; it did at last lead to an attempt to break up the republic. Every thing else could be settled by compromises, or by other means of mutual understanding, but the slavery question could not. This is the fact, and with the fact we have to deal. Is it not indeed time that, at last, it should be disposed of and put to rest, so that it may not trouble us again? Is it not a duty we owe to the Union, the restoration of which is bought at so heavy a price that this great stumbling-block should be taken out of its way? But how dispose of it—how put it

to rest forever? There is but one way, and that is simple, straightforward, and sure. Let slavery itself disappear from the scene. Let it die, and it will not trouble us again. Slavery dead, there will be an end of the slavery question.

You shrink back, Democrats, from the idea of giving the negro his freedom? Why? Have you not told us again and again, that, while we were troubling ourselves so much about the negro question, the negro himself had every reason to feel happy and contented in the condition of slavery? that he was well fed, well clothed, had but a moderate share of labor to perform, and no earthly cares upon him? Did you not always tell us so? And now mark well, I am reasoning on the ground of your own proposition. If the picture you draw of the pleasant life of the negro slave is true, well then, in the name of justice and common-sense, let the negro, after having so long enjoyed the comforts of slavery, at last learn to submit to the troubles and hardships of freedom! Is a negro better than a white man? Why should we expose ourselves to the perplexities of endless controversies on his account? Why should we expose the republic to the dangers of a

ceaseless and furious agitation, merely to secure to the negro the careless ease and the sunny happiness of his patriarchal condition? Let him come forth; let him work for his daily bread on his own responsibility; let him, if need be, shoulder his musket for the defence of the republic, like the rest of us; let him assume his share of trouble and danger; let him take care of himself—but, for the sake of all that is good and great, let the body politic have rest! Is not this just and reasonable?

Still, after having argued thus upon premises advanced by yourselves, I do not ask you, Democrats, to sit down at the feet of William Lloyd Garrison or Wendell Philips, to be initiated in all the doctrines of abolitionism, nor do I expect you to go to the South, gun in hand, for the purpose of freeing every man his negro. Your services are, by no means, indispensable in that line. Slavery is, at this moment, abolishing itself. It is dying of its own poison. All I ask you to do, is not to go to the trouble of disturbing the process of nature, but to let it die.

The ball of emancipation is rolling on in obedience to the laws of gravitation. Do not stand in the way. I do not expect you, Demo-

crats, to push; but all I ask you to do, is not to put on the brakes. You have always been telling us, that you, individually, did not love slavery; I will go so far as to excuse you even from hating it; only treat it with becoming disdain and indifference, and the rest will easily be attended to. Yes, slavery is abolishing itself; you have only to acknowledge the fact, and let it be duly and legally recorded. Then you will be relieved of the controversy, which, as you told us, was always so distasteful to you; with slavery the element of strife and discord will disappear, which alone has imperilled the permanency of the Union.

The best of your old standard-bearers have left you in disgust, and are now working with heart and hand on our side. And not only they. The best of your rank and file are now fighting under the banner of the Union, not only with their muskets, but also with their votes. Do you not know it? You have heard the voices of the soldiers, not only as they speak in triple tones of thunder to the armed rebels of the South, but as they speak in triple tones of thunder to the disguised traitors of the North. You boasted once that a large majority of the soldiers in the field came from the

ranks of the Democratic party. Where are they now? The army vote, whenever it was cast, stood nine for the Union candidate to one for the opposition. Did the Democratic party, indeed, send only one in ten? I have heard it said that the soldier's vote is no reliable indication of the soldier's political sentiments; that the soldier votes as his officer directs him. He who says so, little knows the independent spirit of the American volunteer. But, if it were so, what then, pray, has become of your Democratic officers? No, I will not be unjust to you. You have, indeed, sent a very large number of men from the ranks of your party into the army; and there they are, flesh of your flesh, and blood of your blood. Why, then, do those Democratic soldiers no longer vote with you? Let me say to you, that every man, to whatever party he may belong, as soon as he becomes a good Union soldier, becomes at the same time a good Union *man*.

The soldier has gone through a school which would do a world of good to most of your leading politicians. His political principles have been burned clean in the red-hot crucible of battle. In the awful solemnity of those moments when death stared him in the face, and

when he squared his accounts with heaven and earth, he rose to a full appreciation of the tremendous responsibility, not only of the fighting, but also of the voting citizen; then he felt clearly that his allegiance to party was nothing when in conflict with his allegiance to the great cause of his country; then, rising above all his former prejudices, he became ready to acknowledge that this Union can be restored only upon the basis of universal liberty, and that liberty does not consist in the right of one man to hold another man as property.

I entreat you to think for yourselves! As men of prudence, think of your true interests, and those of your children; they alone can be secured by a solid and lasting peace, such as will be the fruit only of an energetic and decisive war. As patriots and men of honor, think of the future of your country; it can be peaceful and prosperous only when founded upon a Union in which the spirit of justice and liberty reigns supreme, and the rights of man are held sacred. As citizens of the great republic, think of the duty we owe to mankind; it rests with us to furnish to the world the conclusive proof, a proof as incontestible as fact can make it, that a republic, organized on the largest

scale, may have in itself elements of order and strength enough to brave the storm of rebellion and war, and to carry the liberties of the people and the security of society safe through the turmoils of internal dissension; nay, that from the terrible ordeal it may issue purified of the stains that disfigured it, relieved of the wrongs that burdened it, stronger in the affections of the people, and more formidable by the development and exercise of its power.

I repeat it, think for yourselves, and then join us in giving the nations of the earth this noble example. Let the people of the United States, on the day of the national election, declare that, if the cause of Union and Liberty requires they should continue to fight, it is their own free will to give up their sons to the country, and fight; if it requires they should continue to pay, it is their own free will to bear whatever burdens the struggle may bring with it, and pay; if it requires they should continue to suffer, it is their own free will to submit to whatever sacrifices, trials, and hardships the cause may impose, and suffer. It is thus that the sovereignty of the people will be vindicated by the moral heroism of the people; thus this republic, out of her greatest trial evolving her

greatest triumph, will become worthy of her proud stand at the head of the century, and the flag of this country, in whatever quarter of the globe it may appear, will be hailed as a living proof of the faculty of man to govern himself.

HENRY WARD BEECHER,

OF NEW YORK.

(BORN 1813.)

ADDRESS AT LIVERPOOL, OCTOBER 16, 1863.

FOR more than twenty-five years I have been made perfectly familiar with popular assemblies in all parts of my country except the extreme South. There has not for the whole of that time been a single day of my life when it would have been safe for me to go South of Mason's and Dixon's line in my own country, and all for one reason: my solemn, earnest, persistent testimony against that which I consider to be the most atrocious thing under the sun—the system of American slavery in a great free republic. [Cheers.] I have passed through that early period when right of free speech was denied to me. Again and again I have attempted to address audiences that, for no other crime than that of free speech, visited me with all manner of contumelious epithets; and now since I have

been in England, although I have met with greater kindness and courtesy on the part of most than I deserved, yet, on the other hand, I perceive that the Southern influence prevails to some extent in England. [Applause and uproar.] It is my old acquaintance; I understand it perfectly—[laughter]—and I have always held it to be an unfailing truth that where a man had a cause that would bear examination he was perfectly willing to have it spoken about. [Applause.] And when in Manchester I saw those huge placards: "Who is Henry Ward Beecher?"—[laughter, cries of "Quite right," and applause.]—and when in Liverpool I was told that there were those blood-red placards, purporting to say what Henry Ward Beecher had said, and calling upon Englishmen to suppress free speech—I tell you what I thought. I thought simply this: "I am glad of it." [Laughter.] Why? Because if they had felt perfectly secure, that *you* are the minions of the South and the slaves of slavery, they would have been perfectly still. [Applause and uproar.] And, therefore, when I saw so much nervous apprehension that, if I were permitted to speak—[hisses and applause]—when I found they were afraid to have me speak—

[hisses, laughter, and "No, no!"]—when I found that they considered my speaking damaging to their cause—[applause]—when I found that they appealed from facts and reasonings to mob law—[applause and uproar]—I said, no man need tell me what the heart and secret counsel of these men are. They tremble and are afraid. [Applause, laughter, hisses, "No, no!" and a voice: "New York mob."] Now, personally, it is a matter of very little consequence to me whether I speak here to-night or not. [Laughter and cheers.] But, one thing is very certain, if you do permit me to speak here to-night you will hear very plain talking. [Applause and hisses.] You will not find a man—[interruption]—you will not find me to be a man that dared to speak about Great Britain 3,000 miles off, and then is afraid to speak to Great Britain when he stands on her shores. [Immense applause and hisses.] And if I do not mistake the tone and temper of Englishmen, they had rather have a man who opposes them in a manly way—[applause from all parts of the hall]—than a sneak that agrees with them in an unmanly way. [Applause and "Bravo!"] Now, if I can carry you with me by sound convictions, I shall be immensely glad

—[applause]; but if I cannot carry you with me by facts and sound arguments, I do not wish you to go with me at all; and all that I ask is simply FAIR PLAY. [Applause, and a voice: "You shall have it too."]

Those of you who are kind enough to wish to favor my speaking—and you will observe that my voice is slightly husky, from having spoken almost every night in succession for some time past,—those who wish to hear me will do me the kindness simply to sit still, and to keep still; and I and my friends the Secessionists will make all the noise. [Laughter.]

There are two dominant races in modern history—the Germanic and the Romanic races. The Germanic races tend to personal liberty, to a sturdy individualism, to civil and to political liberty. The Romanic race tends to absolutism in government; it is clannish; it loves chieftains; it develops a people that crave strong and showy governments to support and plan for them. The Anglo-Saxon race belongs to the great German family, and is a fair exponent of its peculiarities. The Anglo-Saxon carries self-government and self-development with him wherever he goes. He has popular GOVERNMENT and popular INDUSTRY; for the

effects of a generous civil liberty are not seen a whit more plain in the good order, in the intelligence, and in the virtue of a self-governing people, than in their amazing enterprise and the scope and power of their creative industry. The power to create riches is just as much a part of the Anglo-Saxon virtues as the power to create good order and social safety. The things required for prosperous labor, prosperous manufactures, and prosperous commerce are three. First, liberty; second, liberty; third, liberty. [Hear, hear!] Though these are not merely the same liberty, as I shall show you. First, there must be liberty to follow those laws of business which experience has developed, without imposts or restrictions or governmental intrusions. Business simply wants to be let alone. [Hear, hear!] Then, secondly, there must be liberty to distribute and exchange products of industry in any market without burdensome tariffs, without imposts, and without vexatious regulations. There must be these two liberties—liberty to create wealth, as the makers of it think best, according to the light and experience which business has given them; and then liberty to distribute what they have created without unnecessary vexatious burdens.

The comprehensive law of the ideal industrial condition of the word is free manufacture and free trade. [Hear, hear! A voice: "The Morrill tariff." Another voice: "Monroe."] I have said there were three elements of liberty. The third is the necessity of an intelligent and free race of customers. There must be freedom among producers; there must be freedom among the distributors; there must be freedom among the customers. It may not have occurred to you that it makes any difference what one's customers are, but it does in all regular and prolonged business. The condition of the customer determines how much he will buy, determines of what sort he will buy. Poor and ignorant people buy little and that of the poorest kind. The richest and the intelligent, having the more means to buy, buy the most, and always buy the best. Here, then, are the three liberties: liberty of the producer, liberty of the distributor, and liberty of the consumer. The first two need no discussion; they have been long thoroughly and brilliantly illustrated by the political economists of Great Britain and by her eminent statesmen; but it seems to me that enough attention has not been directed to the third; and, with your patience, I will

dwell upon that for a moment, before proceeding to other topics.

It is a necessity of every manufacturing and commercial people that their customers should be very wealthy and intelligent. Let us put the subject before you in the familiar light of your own local experience. To whom do the tradesmen of Liverpool sell the most goods at the highest profit? To the ignorant and poor, or to the educated and prosperous? [A voice: "To the Southerners." Laughter.] The poor man buys simply for his body; he buys food, he buys clothing, he buys fuel, he buys lodging. His rule is to buy the least and the cheapest that he can. He goes to the store as seldom as he can; he brings away as little as he can; and he buys for the least he can. [Much laughter.] Poverty is not a misfortune to the poor only who suffer it, but it is more or less a misfortune to all with whom he deals. On the other hand, a man well off—how is it with him? He buys in far greater quantity. He can afford to do it; he has the money to pay for it. He buys in far greater variety, because he seeks to gratify not merely physical wants, but also mental wants. He buys for the satisfaction of sentiment and taste, as well as of

sense. He buys silk, wool, flax, cotton; he buys all metals—iron, silver, gold, platinum; in short he buys for all necessities and all substances. But that is not all. He buys a better quality of goods. He buys richer silks, finer cottons, higher grained wools. Now a rich silk means so much skill and care of somebody's that has been expended upon it to make it finer and richer; and so of cotton and so of wool. That is, the price of the finer goods runs back to the very beginning, and remunerates the workman as well as the merchant. Now, the whole laboring community is as much interested and profited as the mere merchant, in this buying and selling of the higher grades in the greater varieties and quantities. The law of price is the skill; and the amount of skill expended in the work is as much for the market as are the goods. A man comes to market and says: "I have a pair of hands," and he obtains the lowest wages. Another man comes and says: "I have something more than a pair of hands; I have truth and fidelity." He gets a higher price. Another man comes and says: "I have something more; I have hands, and strength, and fidelity, and skill." He gets more than either of the others.

The next man comes and says: "I have got hands, and strength, and skill, and fidelity; but my hands work more than that. They know how to create things for the fancy, for the affections, for the moral sentiments"; and he gets more than either of the others. The last man comes and says: "I have all these qualities, and have them so highly that it is a peculiar genius"; and genius carries the whole market and gets the highest price. [Loud applause.] So that both the workman and the merchant are profited by having purchasers that demand quality, variety, and quantity. Now, if this be so in the town or the city, it can only be so because it is a law. This is the specific development of a general or universal law, and therefore we should expect to find it as true of a nation as of a city like Liverpool. I know that it is so, and you know that it is true of all the world; and it is just as important to have customers educated, intelligent, moral, and rich out of Liverpool as it is in Liverpool. [Applause.] They are able to buy; they want variety, they want the very best; and those are the customers you want. That nation is the best customer that is freest, because freedom works prosperity, industry, and

wealth. Great Britain, then, aside from moral considerations, has a direct commercial and pecuniary interest in the liberty, civilization, and wealth of every nation on the globe. [Loud applause.] You also have an interest in this, because you are a moral and religious people. ["Oh, oh!" laughter and applause.] You desire it from the highest motives; and godliness is profitable in all things, having the promise of the life that now is, as well as of that which is to come; but if there were no hereafter, and if man had no progress in this life, and if there were no question of civilization at all, it would be worth your while to protect civilization and liberty, merely as a commercial speculation. To evangelize has more than a moral and religious import—it comes back to temporal relations. Wherever a nation that is crushed, cramped, degraded under despotism is struggling to be free, you, Leeds, Sheffield, Manchester, Paisley, all have an interest that that nation should be free. When depressed and backward people demand that they may have a chance to rise—Hungary, Italy, Poland—it is a duty for humanity's sake, it is a duty for the highest moral motives, to sympathize with them; but besides all these

there is a material and an interested reason why you should sympathize with them. Pounds and pence join with conscience and with honor in this design. Now, Great Britain's chief want is—what ?

They have said that your chief want is cotton. I deny it. Your chief want is consumers. [Applause and hisses.] You have got skill, you have got capital, and you have got machinery enough to manufacture goods for the whole population of the globe. You could turn out fourfold as much as you do, if you only had the market to sell in. It is not so much the want, therefore, of fabric, though there may be a temporary obstruction of it; but the principal and increasing want—increasing from year to year—is, where shall we find men to buy what we can manufacture so fast ? [Interruption, and a voice, " The Morrill tariff," and applause.] Before the American war broke out, your warehouses were loaded with goods that you could not sell. [Applause and hisses.] You had over-manufactured; what is the meaning of over-manufacturing but this: that you had skill, capital, machinery, to create faster than you had customers to take goods off your hands? And you know that rich as Great

Britain is, vast as are her manufactures, if she could have fourfold the present demand, she could make fourfold riches to-morrow; and every political economist will tell you that your want is not cotton primarily, but customers. Therefore, the doctrine, how to make customers, is a great deal more important to Great Britain than the doctrine how to raise cotton. It is to that doctrine I ask from you, business men, practical men, men of fact, sagacious Englishmen—to that point I ask a moment's attention. [Shouts of "Oh, oh!" hisses, and applause.] There are no more continents to be discovered. [Hear, hear!] The market of the future must be found—how? There is very little hope of any more demand being created by new fields. If you are to have a better market there must be some kind of process invented to make the old fields better. [A voice, "Tell us something new," shouts of order, and interruption.] Let us look at it, then. You must civilize the world in order to make a better class of purchasers. [Interruption.] If you were to press Italy down again under the feet of despotism, Italy, discouraged, could draw but very few supplies from you. But give her liberty, kindle schools throughout

her valleys, spur her industry, make treaties with her by which she can exchange her wine, and her oil, and her silk for your manufactured goods; and for every effort that you make in that direction there will come back profit to you by increased traffic with her. [Loud applause.] If Hungary asks to be an unshackled nation—if by freedom she will rise in virtue and intelligence, then by freedom she will acquire a more multifarious industry, which she will be willing to exchange for your manufactures. Her liberty is to be found—where? You will find it in the Word of God, you will find it in the code of history; but you will also find it in the Price Current [Hear, hear!]; and every free nation, every civilized people—every people that rises from barbarism to industry and intelligence, becomes a better customer.

A savage is a man of one story, and that one story a cellar. When a man begins to be civilized, he raises another story. When you Christianize and civilize the man, you put story upon story, for you develop faculty after faculty; and you have to supply every story with your productions. The savage is a man one story deep; the civilized man is thirty stories deep. [Applause.] Now, if you go to a lodg-

ing-house, where there are three or four men, your sales to them may, no doubt, be worth something; but if you go to a lodging-house like some of those which I saw in Edinburgh, which seemed to contain about twenty stories ["Oh, oh!" and interruption], every story of which is full, and all who occupy buy of you—which is the better customer, the man who is drawn out, or the man who is pinched up? [Laughter.] Now, there is in this a great and sound principle of economy. ["Yah, yah!" from the passage outside the hall, and loud laughter.] If the South should be rendered independent—[at this juncture mingled cheering and hissing became immense; half the audience rose to their feet, waving hats and handkerchiefs, and in every part of the hall there was the greatest commotion and uproar.] You have had your turn now; now let me have mine again. [Loud applause and laughter.] It is a little inconvenient to talk against the wind; but after all, if you will just keep good-natured—I am not going to lose my temper; will you watch yours? [Applause.] Besides all that, it rests me, and gives me a chance, you know, to get my breath. [Applause and hisses.] And I think that the bark of those men is

worse than their bite. They do not mean any harm—they don't know any better. [Loud laughter, applause, hisses, and continued uproar.] I was saying, when these responses broke in, that it was worth our while to consider both alternatives. What will be the result if this present struggle shall eventuate in the separation of America, and making the South —[loud applause, hisses, hooting, and cries of "Bravo!"]—a slave territory exclusively,—[cries of "No, no!" and laughter]—and the North a free territory,—what will be the final result? You will lay the foundation for carrying the slave population clear through to the Pacific Ocean. This is the first step. There is not a man that has been a leader of the South any time within these twenty years, that has not had this for a plan. It was for this that Texas was invaded, first by colonists, next by marauders, until it was wrested from Mexico. It was for this that they engaged in the Mexican War itself, by which the vast territory reaching to the Pacific was added to the Union. Never for a moment have they given up the plan of spreading the American institutions, as they call them, straight through toward the West, until the slave, who has washed his feet

in the Atlantic, shall be carried to wash them in the Pacific. [Cries of "Question," and uproar.] There! I have got that statement out, and you cannot put it back. [Laughter and applause.] Now, let us consider the prospect. If the South becomes a slave empire, what relation will it have to you as a customer? [A voice: "Or any other man." Laughter.] It would be an empire of 12,000,000 of people. Now, of these, 8,000,000 are white, and 4,000,000 black. [A voice: "How many have you got?" Applause and laughter. Another voice: "Free your own slaves."] Consider that one third of the whole are the miserably poor, unbuying blacks. [Cries of "No, no!" "Yes, yes!" and interruption.] You do not manufacture much for them. [Hisses, "Oh!" "No."] You have not got machinery coarse enough. [Laughter, and "No."] Your labor is too skilled by far to manufacture bagging and linsey-woolsey. [A Southerner: "We are going to free them, every one."] Then you and I agree exactly. [Laughter.] One other third consists of a poor, unskilled, degraded white population; and the remaining one third, which is a large allowance, we will say, intelligent and rich.

Now here are twelve million of people, and

only one third of them are customers that can afford to buy the kind of goods that you bring to market. [Interruption and uproar.] My friends, I saw a man once, who was a little late at a railway station, chase an express train. He did not catch it. [Laughter.] If you are going to stop this meeting, you have got to stop it before I speak; for after I have got the things out, you may chase as long as you please—you would not catch them. [Laughter and interruption.] But there is luck in leisure; I 'm going to take it easy. [Laughter.] Two thirds of the population of the Southern States to-day are non-purchasers of English goods. [A voice: "No, they are not"; "No, no!" and uproar.] Now you must recollect another fact—namely, that this is going on clear through to the Pacific Ocean; and if by sympathy or help you establish a slave empire, you sagacious Britons—["Oh, oh!" and hooting]—if you like it better, then, I will leave the adjective out—[laughter, Hear! and applause]—are busy in favoring the establishment of an empire from ocean to ocean that should have fewest customers and the largest non-buying population. [Applause, "No, no!" A voice: "I thought it was the happy people that populated fastest."]

Now, what can England make for the poor white population of such a future empire, and for her slave population? What carpets, what linens, what cottons can you sell them? What machines, what looking-glasses, what combs, what leather, what books, what pictures, what engravings? [A voice: "We 'll sell them ships."] You may sell ships to a few, but what ships can you sell to two thirds of the population of poor whites and blacks? [Applause.] A little bagging and a little linsey-woolsey, a few whips and manacles, are all that you can sell for the slave. [Great applause and uproar.] This very day, in the slave States of America there are eight millions out of twelve millions that are not, and cannot be your customers from the very laws of trade. [A voice: "Then how are they clothed?" and interrruption.] * * *

But I know that you say, you cannot help sympathizing with a gallant people. [Hear, hear!] They are the weaker people, the minority; and you cannot help going with the minority who are struggling for their rights against the majority. Nothing could be more generous, when a weak party stands for its own legitimate rights against imperious pride and

power, than to sympathize with the weak. But who ever sympathized with a weak thief, because three constables had got hold of him? [Hear, hear!] And yet the one thief in three policemen's hands is the weaker party. I suppose you would sympathize with him. [Hear, hear! laughter, and applause.] Why, when that infamous king of Naples—Bomba, was driven into Gaeta by Garibaldi with his immortal band of patriots, and Cavour sent against him the army of Northern Italy, who was the weaker party then? The tyrant and his minions; and the majority was with the noble Italian patriots, struggling for liberty. I never heard that Old England sent deputations to King Bomba, and yet his troops resisted bravely there. [Laughter and interruption.] To-day the majority of the people of Rome is with Italy. Nothing but French bayonets keeps her from going back to the kingdom of Italy, to which she belongs. Do you sympathize with the minority in Rome or the majority in Italy? [A voice: "With Italy."] To-day the South is the minority in America, and they are fighting for *independence!* For what? [Uproar. A voice: "Three cheers for independence!" and hisses.] I could wish so much bravery had a better cause, and that

so much self-denial had been less deluded; that the poisonous and venomous doctrine of State rights might have been kept aloof; that so many gallant spirits, such as Jackson, might still have lived. [Great applause and loud cheers, again and again renewed.] The force of these facts, historical and incontrovertible, cannot be broken, except by diverting attention by an attack upon the North. It is said that the North is fighting for Union, and not for emancipation. The North is fighting for Union, for that ensures emancipation. [Loud cheers, "Oh, oh!" "No, no!" and cheers.] A great many men say to ministers of the Gospel: "You pretend to be preaching and working for the love of the people. Why, you are all the time preaching for the sake of the Church." What does the minister say? "It is by means of the Church that we help the people," and when men say that we are fighting for the Union, I too say we are fighting for the Union. [Hear, hear! and a voice: "That 's right."] But the motive determines the value; and why are we fighting for the Union? Because we never shall forget the testimony of our enemies. They have gone off declaring that the Union in the hands of the North was fatal to slavery. [Loud applause.] There

is testimony in court for you. [A voice: "See that," and laughter.] * * *

In the first place I am ashamed to confess that such was the thoughtlessness—[interruption]—such was the stupor of the North—[renewed interruption]—you will get a word at a time; to-morrow will let folks see what it is you don't want to hear—that for a period of twenty-five years she went to sleep, and permitted herself to be drugged and poisoned with the Southern prejudice against black men. [Applause and uproar.] The evil was made worse, because, when any object whatever has caused anger between political parties, a political animosity arises against that object, no matter how innocent in itself; no matter what were the original influences which excited the quarrel. Thus the colored man has been the football between the two parties in the North, and has suffered accordingly. I confess it to my shame. But I am speaking now on my own ground, for I began twenty-five years ago, with a small party, to combat the unjust dislike of the colored man. [Loud applause, dissension, and uproar. The interruption at this point became so violent that the friends of Mr. Beecher throughout the hall rose to their feet,

waving hats and handkerchiefs, and renewing their shouts of applause. The interruption lasted some minutes.] Well, I have lived to see a total revolution in the Northern feeling—I stand here to bear solemn witness of that. It is not my opinion; it is my knowledge. [Great uproar.] Those men who undertook to stand up for the rights of all men—black as well as white—have increased in number; and now what party in the North represents those men that resist the evil prejudices of past years? The Republicans are that party. [Loud applause.] And who are those men in the North that have oppressed the negro? They are *the Peace Democrats; and the prejudice for which in England you are attempting to punish me, is a prejudice raised by the men who have opposed me all my life.* These pro-slavery Democrats abuse the negro. I defended him, and they mobbed me for doing it. Oh, justice! [Loud laughter, applause, and hisses.] This is as if a man should commit an assault, maim and wound a neighbor, and a surgeon being called in should begin to dress his wounds, and by and by a policeman should come and collar the surgeon and haul him off to prison on account of the wounds which he was healing.

Now, I told you I would not flinch from any thing. I am going to read you some questions that were sent after me from Glasgow, purporting to be from a workingman. [Great interruption.] If those pro-slavery interrupters think they will tire me out, they will do more than eight millions in America could. [Applause and renewed interruption.] I was reading a question on your side too. "Is it not a fact that in most of the Northern States laws exist precluding negroes from equal civil and political rights with the whites? That in the State of New York the negro has to be the possessor of at least two hundred and fifty dollars' worth of property to entitle him to the privileges of a white citizen? That in some of the Northern States the colored man, whether bond or free, is by law excluded altogether, and not suffered to enter the State limits, under severe penalties? and is not Mr. Lincoln's own State one of them? and in view of the fact that the $20,000,000 compensation which was promised to Missouri in aid of emancipation was defeated in the last Congress (the strongest Republican Congress that ever assembled), what has the North done toward emancipation?" Now, then, there 's a dose

for you. [A voice: "Answer it."] And I will address myself to the answering of it. And first, the bill for emancipation in Missouri, to which this money was denied, was a bill which was drawn by what we call "log-rollers," who inserted in it an enormously disproportioned price for the slaves. The Republicans offered to give them $10,000,000 for the slaves in Missouri, and they outvoted it because they could not get $12,000,000. Already half the slave population had been "run" down South, and yet they came up to Congress to get $12,000,000 for what was not worth ten millions, nor even eight millions. Now as to those States that had passed "black" laws, as we call them; they are filled with Southern emigrants. The southern parts of Ohio, the southern part of Indiana, where I myself lived for years, and which I knew like a book, the southern part of Illinois, where Mr. Lincoln lives—[great uproar]—these parts are largely settled by emigrants from Kentucky, Tennessee, Georgia, Virginia, and North Carolina, and it was their vote, or the Northern votes pandering for political reasons to theirs, that passed in those States the infamous "black" laws; and the Republicans in these States have a record, clean and white,

as having opposed these laws in every instance as "infamous." Now as to the State of New York; it is asked whether a negro is not obliged to have a certain freehold property, or a certain amount of property, before he can vote. It is so still in North Carolina and Rhode Island for *white* folks—it is so in New York State. [Mr. Beecher's voice slightly failed him here, and he was interrupted by a person who tried to imitate him. Cries of "Shame!" and "Turn him out!"] I am not undertaking to say that these faults of the North, which were brought upon them by the bad example and influence of the South, are all cured; but I do say that they are in *process* of cure which promises, if unimpeded by foreign influence, to make all such odious distinctions vanish.

There is another fact that I wish to allude to —not for the sake of reproach or blame, but by way of claiming your more lenient consideration—and that is, that slavery was entailed upon us by your action. [Hear, hear!] Against the earnest protests of the colonists the then government of Great Britain—I will concede not knowing what were the mischiefs—ignorantly, but in point of fact, forced slave traffic

on the unwilling colonists. [Great uproar, in the midst of which one individual was lifted up and carried out of the room amidst cheers and hisses.]

The CHAIRMAN: If you would only sit down no disturbance would take place.

The disturbance having subsided,

MR BEECHER said: I was going to ask you, suppose a child is born with hereditary disease; suppose this disease was entailed upon him by parents who had contracted it by their own misconduct, would it be fair that those parents that had brought into the world the diseased child, should rail at that child because it was diseased. ["No, no!"] Would not the child have a right to turn round and say: "Father, it was your fault that I had it, and you ought to be pleased to be patient with my deficiencies." [Applause and hisses, and cries of "Order!" Great interruption and great disturbance here took place on the right of the platform; and the chairman said that if the persons around the unfortunate individual who had caused the disturbance would allow him to speak alone, but not assist him in making the disturbance, it might soon be put an end to. The interruption continued until another person was carried out

of the hall.] Mr. Beecher continued: I do not ask that you should justify slavery in us, because it was wrong in you two hundred years ago; but having ignorantly been the means of fixing it upon us, now that we are struggling with mortal struggles to free ourselves from it, we have a right to your tolerance, your patience, and charitable constructions.

No man can unveil the future; no man can tell what revolutions are about to break upon the world; no man can tell what destiny belongs to France, nor to any of the European powers; but one thing is certain, that in the exigencies of the future there will be combinations and recombinations, and that those nations that are of the same faith, the same blood, and the same substantial interests, ought not to be alienated from each other, but ought to stand together. [Immense cheering and hisses.] I do not say that you ought not to be in the most friendly alliance with France or with Germany; but I do say that your own children, the offspring of England, ought to be nearer to you than any people of strange tongue. [A voice: "Degenerate sons," applause and hisses; another voice: "What about the *Trent?*"] If there had been any feelings

of bitterness in America, let me tell you that they had been excited, rightly or wrongly, under the impression that Great Britain was going to intervene between us and our own lawful struggle. [A voice: "No!" and applause.] With the evidence that there is no such intention all bitter feelings will pass away. [Applause.] We do not agree with the recent doctrine of neutrality as a question of law. But it is past, and we are not disposed to raise that question. We accept it now as a fact, and we say that the utterance of Lord Russell at Blairgowrie—[Applause, hisses, and a voice: "What about Lord Brougham?"]—together with the declaration of the government in stopping war-steamers here—[great uproar, and applause]—has gone far toward quieting every fear and removing every apprehension from our minds. [Uproar and shouts of applause.] And now in the future it is the work of every good man and patriot not to create divisions, but to do the things that will make for peace. ["Oh, oh!" and laughter.] On our part it shall be done. [Applause and hisses, and "No, no!"] On your part it ought to be done; and when in any of the convulsions that come upon the world, Great Britain finds herself struggling

single-handed against the gigantic powers that spread oppression and darkness—[applause, hisses, and uproar]—there ought to be such cordiality that she can turn and say to her first-born and most illustrious child, "Come!" [Hear, hear! applause, tremendous cheers, and uproar.] I will not say that England cannot again, as hitherto, single-handed manage any power—[applause and uproar]—but I will say that England and America together for religion and liberty—[A voice: "Soap, soap," uproar, and great applause]—are a match for the world. [Applause; a voice: "They don't want any more soft soap."] Now, gentlemen and ladies—[A voice: "Sam Slick"; and another voice: Ladies and gentlemen, if you please,"]—when I came I was asked whether I would answer questions, and I very readily consented to do so, as I had in other places; but I will tell you it was because I expected to have the opportunity of speaking with some sort of ease and quiet. [A voice: "So you have."] I have for an hour and a half spoken against a storm—[Hear, hear!]—and you yourselves are witnesses that, by the interruption, I have been obliged to strive with my voice, so that I no longer have the power to control this assembly.

[Applause.] And although I am in spirit perfectly willing to answer any question, and more than glad of the chance, yet I am by this very unnecessary opposition to-night incapacitated physically from doing it. Ladies and gentlemen, I bid you good-evening.

ABRAHAM LINCOLN.

THE GETTYSBURGH ADDRESS, NOVEMBER 19, 1863.

FOURSCORE and seven years ago our fathers brought forth upon this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field as a final resting-place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But in a larger sense we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did

here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people, shall not perish from the earth.

ABRAHAM LINCOLN.

SECOND INAUGURAL ADDRESS, MARCH 4, 1865.

FELLOW-COUNTRYMEN:

At this second appearing to take the oath of the Presidential office, there is less occasion for an extended address than there was at first. Then a statement, somewhat in detail, of a course to be pursued seemed very fitting and proper. Now, at the expiration of four years, during which public declarations have been constantly called forth on every point and phase of the great contest which still absorbs the attention and engrosses the energies of the nation, little that is new could be presented.

The progress of our arms, upon which all else chiefly depends, is as well known to the public as to myself, and it is, I trust, reasonably satisfactory and encouraging to all. With high hope for the future, no prediction in regard to it is ventured.

On the occasion corresponding to this four years ago, all thoughts were anxiously directed

to an impending civil war. All dreaded it, all sought to avoid it. While the inaugural address was being delivered from this place, devoted altogether to saving the Union without war, insurgent agents were in the city seeking to destroy it with war—seeking to dissolve the Union and divide the effects by negotiation. Both parties deprecated war, but one of them would make war rather than let the nation survive, and the other would accept war rather than let it perish, and the war came. One eighth of the whole population were colored slaves, not distributed generally over the Union, but localized in the Southern part of it. These slaves constituted a peculiar and powerful interest. All knew that this interest was somehow the cause of the war. To strengthen, perpetuate, and extend this interest was the object for which the insurgents would rend the Union by war, while the government claimed no right to do more than to restrict the territorial enlargement of it.

Neither party expected for the war the magnitude or the duration which it has already attained. Neither anticipated that the cause of the conflict might cease when, or even before the conflict itself should cease. Each looked for an easier triumph, and a result less funda-

mental and astounding. Both read the same Bible and pray to the same God, and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces, but let us judge not, that we be not judged. The prayer of both could not be answered. That of neither has been answered fully. The Almighty has His own purposes. Woe unto the world because of offences, for it must needs be that offences come, but woe to that man by whom the offence cometh. If we shall suppose that American slavery is one of those offences which, in the providence of God, must needs come, but which having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offence came, shall we discern there any departure from those Divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet if God wills that it continue until all the wealth piled by the bondsman's two hundred and fifty years of unre-

quited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said, that the judgments of the Lord are true and righteous altogether.

With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow and his orphans, to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations.

HENRY WINTER DAVIS,

OF MARYLAND.

(BORN 1817, DIED 1865.)

ON RECONSTRUCTION; THE FIRST REPUBLICAN THEORY; HOUSE OF REPRESENTATIVES, MARCH 22, 1864.

Mr. SPEAKER:

The bill which I am directed by the committee on the rebellious States to report is one which provides for the restoration of civil government in States whose governments have been overthrown. It prescribes such conditions as will secure not only civil government to the people of the rebellious States, but will also secure to the people of the United States permanent peace after the suppression of the rebellion. The bill challenges the support of all who consider slavery the cause of the rebellion, and that in it the embers of rebellion will always smoulder; of those who think that free-

dom and permanent peace are inseparable, and who are determined, so far as their constitutional authority will allow them, to secure these fruits by adequate legislation. * * * It is entitled to the support of all gentlemen upon this side of the House, whatever their views may be of the nature of the rebellion, and the relation in which it has placed the people and States in rebellion toward the United States; not less of those who think that the rebellion has placed the citizens of the rebel States beyond the protection of the Constitution, and that Congress, therefore, has supreme power over them as conquered enemies, than of that other class who think that they have not ceased to be citizens and States of the United States, though incapable of exercising political privileges under the Constitution, but that Congress is charged with a high political power by the Constitution to guarantee republican governments in the States, and that this is the proper time and the proper mode of exercising it. It is also entitled to the favorable consideration of gentlemen upon the other side of the House who honestly and deliberately express their judgment that slavery is dead. To them it puts the question whether it is not advisable to

bury it out of sight, that its ghost may no longer stalk abroad to frighten us from our propriety.

What is the nature of this case with which we have to deal, the evil we must remedy, the danger we must avert? In other words, what is that monster of political wrong which is called secession? It is not, Mr. Speaker, domestic violence, within the meaning of that clause of the Constitution, for the violence was the act of the people of those States through their governments, and was the offspring of their free and unforced will. It is not invasion, in the meaning of the Constitution, for no State has been invaded against the will of the government of the State by any power except the United States marching to overthrow the usurpers of its territory. It is, therefore, the act of the people of the States, carrying with it all the consequences of such an act. And therefore it must be either a legal revolution, which makes them independent, and makes of the United States a foreign country, or it is a usurpation against the authority of the United States, the erection of governments which do not recognize the Constitution of the United States, which the Constitution does not recog-

nize, and, therefore, not republican governments of the States in rebellion. The latter is the view which all parties take of it. I do not understand that any gentleman on the other side of the House says that any rebel government which does not recognize the Constitution of the United States, and which is not recognized by Congress, is a State government within the meaning of the Constitution. Still less can it be said that there is a State government, republican or unrepublican, in the State of Tennessee, where there is no government of any kind, no civil authority, no organized form of administration except that represented by the flag of the United States, obeying the will and under the orders of the military officer in command. * * * Those that are here represented are the only governments existing within the limits of the United States. Those that are not here represented are not governments of the States, republican under the Constitution. And if they be not, then they are military usurpations, inaugurated as the permanent governments of the States, contrary to the supreme law of the land, arrayed in arms against the Government of the United States; and it is the duty, the first and highest duty, of

the government to suppress and expel them. Congress must either expel or recognize and support them. If it do not guarantee them, it is bound to expel them ; and they who are not ready to suppress are bound to recognize them.

We are now engaged in suppressing a military usurpation of the authority of the State governments. When that shall have been accomplished, there will be no form of State authority in existence which Congress can recognize. Our success will be the overthrow of all semblance of government in the rebel States. The Government of the United States is then in fact the only government existing in those States, and it is there charged to guarantee them republican governments.

What jurisdiction does the duty of guaranteeing a republican government confer under such circumstances upon Congress? What right does it give? What laws may it pass? What objects may it accomplish? What conditions may it insist upon, and what judgment may it exercise in determining what it will do? The duty of guaranteeing carries with it the right to pass all laws necessary and proper to guarantee. The duty of guaranteeing means the duty to accomplish the result. It means

that the republican government shall exist. It means that every opposition to republican government shall be put down. It means that every thing inconsistent with the permanent continuance of republican government shall be weeded out. It places in the hands of Congress to say what is and what is not, with all the light of experience and all the lessons of the past, inconsistent, in its judgment, with the permanent continuance of republican government; and if, in its judgment, any form of policy is radically and inherently inconsistent with the permanent and enduring peace of the country, with the permanent supremacy of republican government, and it have the manliness to say so, there is no power, judicial or executive, in the United States that can even question this judgment but the people; and they can do it only by sending other Representatives here to undo our work. The very language of the Constitution, and the necessary logic of the case, involve that consequence. The denial of the right of secession means that all the territory of the United States shall remain under the jurisdiction of the Constitution. If there can be no State government which does not recognize the Constitution, and which the

authorities of the United States do not recognize, then there are these alternatives, and these only: the rebel States must be governed by Congress till they submit and form a State government under the Constitution; or Congress must recognize State governments which do not recognize either Congress or the Constitution of the United States; or there must be an entire absence of all government in the rebel States—and that is anarchy. To recognize a government which does not recognize the Constitution is absurd, for a government is not a constitution; and the recognition of a State government means the acknowledgment of men as governors and legislators and judges, actually invested with power to make laws, to judge of crimes, to convict the citizens of other States, to demand the surrender of fugitives from justice, to arm and command the militia, to require the United States to repress all opposition to its authority, and to protect it against invasion—against our own armies; whose Senators and Representatives are entitled to seats in Congress, and whose electoral votes must be counted in the election of the President of a government which they disown and defy. To accept the alternative of anarchy as the consti-

tutional condition of a State is to assert the failure of the Constitution and the end of republican government. Until, therefore, Congress recognize a State government, organized under its auspices, there is no government in the rebel States except the authority of Congress. * * * When military opposition shall have been suppressed, not merely paralyzed, driven into a corner, pushed back, but gone, the horrid vision of civil war vanished from the South, then call upon the people to reorganize in their own way, subject to the conditions that we think essential to our permanent peace, and to prevent the revival hereafter of the rebellion —a republican government in the form that the people of the United States can agree to.

Now, for that purpose there are three modes indicated. One is to remove the cause of the war by an alteration of the Constitution of the United States, prohibiting slavery everywhere within its limits. That, sir, goes to the root of the matter, and should consecrate the nation's triumph. But there are thirty-four States; three fourths of them would be twenty-six. I believe there are twenty-five States represented in this Congress; so that we on that basis cannot change the Constitution. It is, therefore,

a condition precedent in that view of the case that more States shall have governments organized within them. If it be assumed that the basis of calculation shall be three fourths of the States now represented in Congress, I agree to that construction of the Constitution. * * * But, under any circumstances, even upon that basis it will be difficult to find three fourths of the States, with New Jersey, or Kentucky, or Maryland, or Delaware, or other States that might be mentioned, opposed to it, under existing auspices, to adopt such a clause of the Constitution after we shall have agreed to it. If adopted it still leaves all laws necessary to the ascertainment of the will of the people, and all restrictions on the return to power of the leaders of the rebellion, wholly unprovided for. The amendment of the Constitution meets my hearty approval, but it is not a remedy for the evils we must deal with.

The next plan is that inaugurated by the President of the United States, in the proclamation of the 8th December (1863), called the amnesty proclamation. That proposes no guardianship of the United States over the reorganization of the governments, no law to prescribe who shall vote, no civil functionaries to see that

the law is faithfully executed, no supervising authority to control and judge of the election. But if in any manner by the toleration of martial law, lately proclaimed the fundamental law, under the dictation of any military authority, or under the prescription of a provost marshal, something in the form of a government shall be presented, represented to rest on the votes of one tenth of the population, the President will recognize that, provided it does not contravene the proclamation of freedom and the laws of Congress; and to secure that an oath is exacted. There is no guaranty of law to watch over the organization of that government. It may be recognized by the military power, and not recognized by the civil power, so that it would have a doubtful existence, half civil and half military, neither a temporary government by law of Congress nor a State government, something as unknown to the Constitution as the rebel government that refuses to recognize it. The only prescription is that it shall not contravene the provisions of the proclamation. Sir, if that proclamation be valid, then we are relieved from all trouble on that score. But if that proclamation be not valid, then the oath to support it is without legal sanction, for the

President can ask no man to bind himself by an oath to support an unfounded proclamation or an unconstitutional law even for a moment, still less after it shall have been declared void by the Supreme Court of the United States.

By the bill we propose to preclude the judicial question by the solution of a political question. How so? By the paramount power of Congress to reorganize governments in those States, to impose such conditions as it thinks necessary to secure the permanence of republican government, to refuse to recognize any governments there which do not prohibit slavery forever. Ay, gentlemen, take the responsibility to say in the face of those who clamor for the speedy recognition of governments tolerating slavery, that the safety of the people of the United States is the supreme law; that their will is the supreme rule of law, and that we are authorized to pronounce their will on this subject. Take the responsibility to say that we will revise the judgments of our ancestors; that we have experience written in blood which they had not; that we find now what they darkly doubted, that slavery is really, radically inconsistent with the permanence of republican governments; and that being charged

by the supreme law of the land on our conscience and judgment to guarantee, that is to continue, maintain and enforce, if it exist, to institute and restore, when overthrown, republican government throughout the broad limits of the republic, we will weed out every element of their policy which we think incompatible with its permanence and endurance. The purpose of the bill is to preclude the judicial question of the validity and effect of the President's proclamation by the decision of the political authority in reorganizing the State governments. It makes the rule of decision the provisions of the State constitution, which, when recognized by Congress, can be questioned in no court; and it adds to the authority of the proclamation the sanction of Congress. If gentlemen say that the Constitution does not bear that construction, we will go before the people of the United States on that question, and by their judgment we will abide.

GEORGE H. PENDLETON,

OF OHIO.

(BORN 1825.)

ON RECONSTRUCTION; THE DEMOCRATIC THEORY; HOUSE OF REPRESENTATIVES, MAY 4, 1864.

THE gentleman [Mr. H. W. Davis] maintains two propositions, which lie at the very basis of his views on this subject. He has explained them to the House, and enforced them on other occasions. He maintains that, by reason of their secession, the seceded States and their citizens "have not ceased to be citizens and States of the United States, though incapable of exercising political privileges under the Constitution, but that Congress is charged with a high political power by the Constitution to guarantee republican government in the States, and that this is the proper time and the proper mode of exercising it." This act of revolution on the part of the seceding States has evoked the most extraordinary theories upon the rela-

tions of the States to the Federal Government. This theory of the gentleman is one of them.

The ratification of the Constitution by Virginia established the relation between herself and the Federal Government; it created the link between her and all the States; it announced her assumption of the duties, her title to the rights, of the confederating States; it proclaimed her interest in, her power over, her obedience to, the common agent of all the States. If Virginia had never ordained that ratification, she would have been an independent State; the Constitution would have been as perfect and the union between the ratifying States would have been as complete as they now are. Virginia repeals that ordinance, annuls that bond of union, breaks that link of confederation. She repeals but a single law, repeals it by the action of a sovereign convention, leaves her constitution, her laws, her political and social polity untouched. And the gentleman from Maryland tells us that the effect of this repeal is not to destroy the vigor of that law, but to subvert the State government, and to render the citizens "incapable of exercising political privileges"; that the Union remains, but that one party to it has thereby

lost its corporate existence, and the other has advanced to the control and government of it.

Sir, this cannot be. Gentlemen must not palter in a double sense. These acts of secession are either valid or invalid. If they are valid, they separated the State from the Union. If they are invalid, they are void; they have no effect; the State officers who act upon them are rebels to the Federal Government; the States are not destroyed; their constitutions are not abrogated; their officers are committing illegal acts, for which they are liable to punishment; the States have never left the Union, but, as soon as their officers shall perform their duties or other officers shall assume their places, will again perform the duties imposed, and enjoy the privileges conferred, by the Federal compact, and this not by virtue of a new ratification of the Constitution, nor a new admission by the Federal Government, but by virtue of the original ratification, and the constant, uninterrupted maintenance of position in the Federal Union since that date.

Acts of secession are not invalid to destroy the Union, and valid to destroy the State governments and the political privileges of their

citizens. We have heard much of the twofold relations which citizens of the seceded States may hold to the Federal Government—that they may be at once belligerents and rebellious citizens. I believe there are some judicial decisions to that effect. Sir, it is impossible. The Federal Government may possibly have the right to elect in which relation it will deal with them; it cannot deal at one and the same time in inconsistent relations. Belligerents, being captured, are entitled to be treated as prisoners of war; rebellious citizens are liable to be hanged. The private property of belligerents, according to the rules of modern war, shall not be taken without compensation; the property of rebellious citizens is liable to confiscation. Belligerents are not amenable to the local criminal law, nor to the jurisdiction of the courts which administer it; rebellious citizens are, and the officers are bound to enforce the law and exact the penalty of its infraction. The seceded States are either in the Union or out of it. If in the Union, their constitutions are untouched, their State governments are maintained, their citizens are entitled to all political rights, except so far as they may be deprived of them by the criminal law which they have infracted.

This seems incomprehensible to the gentleman from Maryland. In his view, the whole State government centres in the men who administer it, so that, when they administer it unwisely, or put it in antagonism to the Federal Government, the State government is dissolved, the State constitution is abrogated, and the State is left, in fact and in form, *de jure* and *de facto*, in anarchy, except so far as the Federal Government may rightfully intervene. * * * I submit that these gentlemen do not see with their usual clearness of vision. If, by a plague or other visitation of God, every officer of a State government should at the same moment die, so that not a single person clothed with official power should remain, would the State government be destroyed? Not at all. For the moment it would not be administered; but as soon as officers were elected, and assumed their respective duties, it would be instantly in full force and vigor.

If these States are out of the Union, their State governments are still in force, unless otherwise changed; their citizens are to the Federal Government as foreigners, and it has in relation to them the same rights, and none other, as it had in relation to British sub-

jects in the war of 1812, or to the Mexicans in 1846. Whatever may be the true relation of the seceding States, the Federal Government derives no power in relation to them or their citizens from the provision of the Constitution now under consideration, but, in the one case, derives all its power from the duty of enforcing the "supreme law of the land," and in the other, from the power "to declare war."

The second proposition of the gentleman from Maryland is this—I use his language: "That clause vests in the Congress of the United States a plenary, supreme, unlimited political jurisdiction, paramount over courts, subject only to the judgment of the people of the United States, embracing within its scope every legislative measure necessary and proper to make it effectual; and what is necessary and proper the Constitution refers in the first place to our judgment, subject to no revision but that of the people."

The gentleman states his case too strongly. The duty imposed on Congress is doubtless important, but Congress has no right to use a means of performing it forbidden by the Constitution, no matter how necessary or proper it might be thought to be. But, sir, this doctrine

is monstrous. It has no foundation in the Constitution. It subjects all the States to the will of Congress; it places their institutions at the feet of Congress. It creates in Congress an absolute, unqualified despotism. It asserts the power of Congress in changing the State governments to be "plenary, supreme, unlimited," "subject only to revision by the people of the United States." The rights of the people of the State are nothing; their will is nothing. Congress first decides; the people of the whole Union revise. My own State of Ohio is liable at any moment to be called in question for her constitution. She does not permit negroes to vote. If this doctrine be true, Congress may decide that this exclusion is anti-republican, and by force of arms abrogate that constitution and set up another, permitting negroes to vote. From that decision of Congress there is no appeal to the people of Ohio, but only to the people of New York and Massachusetts and Wisconsin, at the election of representatives, and, if a majority cannot be elected to reverse the decision, the people of Ohio must submit. Woe be to the day when that doctrine shall be established, for from its centralized despotism we will appeal to the sword!

Sir, the rights of the States were the foundation corners of the confederation. The Constitution recognized them, maintained them, provided for their perpetuation. Our fathers thought them the safeguard of our liberties. They have proved so. They have reconciled liberty with empire; they have reconciled the freedom of the individual with the increase of our magnificent domain. They are the test, the touchstone, the security of our liberties. This bill, and the avowed doctrine of its supporters, sweeps them all instantly away. It substitutes despotism for self-government—despotism the more severe because vested in a numerous Congress elected by a people who may not feel the exercise of its power. It subverts the government, destroys the confederation, and erects a tyranny on the ruins of republican governments. It creates unity—it destroys liberty; it maintains integrity of territory, but destroys the rights of the citizen.

JOHN SHERMAN,

OF OHIO.

(BORN 1823.)

ON PRESIDENT JOHNSON'S POLICY; UNITED STATES SENATE, FEBRUARY 23, 1866.

I WILL ask Senators this plain question, whether we have a right now, having failed to do our constitutional duty, to arraign Andrew Johnson for following out a plan which, in his judgment, he deemed the best, and especially when that plan was the plan adopted by Mr. Lincoln, and which had at least the apparent ratification of the people of the United States in the election of Lincoln and Johnson. * * * In the absence of law, I ask you whether President Lincoln and President Johnson did not do substantially right when they adopted a plan of their own and endeavored to carry it into execution? Although we may now find fault with the terms and conditions that were imposed by them upon the Southern States, yet

we must remember that the source of all power in this country, the people of the United States, in the election of these two men substantially sanctioned the plan of Mr. Lincoln. Why, sir, at the very time that Andrew Johnson was nominated for the Vice-Presidency, he was in Tennessee as military governor, executing the very plan that he subsequently attempted to carry out, and he was elected Vice-President of the United States when he was in the practical execution of that plan. * * *

I propose now to recall, very briefly, the steps adopted by President Johnson in his plan of reconstruction. * * * His first act was to retain in his confidence and his councils every member of the cabinet of Abraham Lincoln; and, so far as we know, every measure adopted by Andrew Johnson has had the approval and sanction of that cabinet. * * * Not only that, but he adopted the policy of Abraham Lincoln *in hæc verba*. * * * Not only that, but in carrying out his plans of reconstruction, he adopted all the main features of the only bill passed by Congress, the Wade and Davis bill. * * * Now I ask you what were the conditions imposed on these people? First, the adoption of the (XIIIth)

constitutional amendment. He was not willing to leave the matter to their amnesty oath, or to the proclamation of President Lincoln, but he demanded of them the incorporation in their State constitutions of a prohibition of slavery, so as to secure beyond peradventure the abolition of slavery for ever and ever throughout the United States. This he required in every order issued to the South, and demanded it as a first and preliminary condition to any effort toward reconstruction. Next he demanded a repudiation of the rebel debt, and a guaranty put into the constitutions of the respective States that they never would, under any circumstances, pay any portion of the rebel debt. Next he secured the enforcement of the test oath, so that every officer in the Southern States, under the act of Congress, was compelled to take that oath; or, if he could not find officers there to do it, he sent officers from the Northern States to do it, so that this law, the most objectionable of any to the Southern people, was enforced in all instances at the South. * * * Next he enforced in every case full and ample protection to the freedmen of the Southern States. As I said before, no case was ever brought to his knowledge, so far as I can

gather, in which he did not do full and substantial justice. * * *

The principal objection that has been made to his policy is that he did not extend his invitation to all the loyal men of the Southern States, including the colored as well as the white people. * * * Now, let us look at that question. In every one of the seceded States, before the rebellion, the negro was excluded from the right of voting by their laws. It is true the Senator from Massachusetts would say these are all swept away. Admit that; but in a majority of the Northern States to this hour there is a denial of the right of suffrage to the colored population. In Ohio, Pennsylvania, and New York that right is limited, and these three States contain one third of the people of the United States. In a large majority of the States, including the most populous, negro suffrage is prohibited. And yet you ask President Johnson, by a simple mandatory proclamation or military order, to confer the franchise on a class of people who are not only prohibited from voting in the eleven Southern States, but in a majority of the Nortern States, and, indeed, I think, in all the States except six. * * * We complain here that the President has not

exercised his power to extend to freedmen the right of suffrage when Congress never has done it. We have absolute authority over this District; and, until this session, the proposition was not seriously mooted to extend the suffrage to the colored population. Here, better than anywhere else in the Union, they are fitted and entitled to suffrage; and yet we never, in our legislative power for this District, where we have absolute power, complied with that condition which has been asked of the President of the United States. * * * So, I think, we have never conferred the right to vote upon negroes in the Territories. * * * And this is not all; in the only plan Congress has ever proposed for the reconstruction of the Southern States, the Wade and Davis bill, to which I have referred so often, Congress did not and would not make negro suffrage a part of their plan. The effort was made to do so, and was abandoned. By that bill the suffrage was conferred only upon white male loyal citizens. And in the plan adopted by the President, he adopted in this respect the very same conditions for suffrage prescribed by Congress. Now, have we, as candid and honorable men, the right to complain of the President because he declined

to extend suffrage to this most ignorant freed population, when we have refused or neglected to extend it to them, or to the negroes of this District, or to the colored men who may go to the Territories? No, sir; whatever may be our opinion of the theory or right of every man to vote—and I do not dispute or contest with honorable Senators upon that point—I say, with the President, that to ask him to extend to four millions of these people the right of suffrage, when we have not the courage to extend it to those within our control, when our States, represented by us here on this floor, have refused to do it, is to make of him an unreasonable demand, in which the people of the United States will not sustain Congress.

THADDEUS STEVENS,

OF PENNSYLVANIA.

(BORN 1792, DIED 1868.)

ON THE FIRST RECONSTRUCTION BILL; HOUSE OF REPRESENTATIVES, JANUARY 3, 1867.

MR. SPEAKER:

What are the great questions which now divide the nation? In the midst of the political Babel which has been produced by the intermingling of secessionists, rebels, pardoned traitors, hissing Copperheads, and apostate Republicans, such a confusion of tongues is heard that it is difficult to understand either the questions that are asked or the answers that are given. Ask what is the "President's policy," and it is difficult to define it. Ask what is the "policy of Congress," and the answer is not always at hand. A few moments may be profitably spent in seeking the meaning of each of these terms.

In this country the whole sovereignty rests

with the people, and is exercised through their Representatives in Congress assembled. The legislative power is the sole guardian of that sovereignty. No other branch of the government, no other department, no other officer of the government, possesses one single particle of the sovereignty of the nation. No government official, from the President and Chief-Justice down, can do any one act which is not prescribed and directed by the legislative power. Suppose the government were now to be organized for the first time under the Constitution, and the President had been elected, and the judiciary appointed; what could either do until Congress passed laws to regulate their proceedings? What power would the President have over any one subject of government until Congress had legislated on that subject? * * * The President could not even create bureaus or departments to facilitate his executive operations. He must ask leave of Congress. Since, then, the President cannot enact, alter, or modify a single law; cannot even create a petty office within his own sphere of operations; if, in short, he is the mere servant of the people, who issue their commands to him through Congress, whence does he derive the constitutional

power to create new States, to remodel old ones, to dictate organic laws, to fix the qualifications of voters, to declare that States are republican and entitled to command Congress, to admit their Representatives? To my mind it is either the most ignorant and shallow mistake of his duties, or the most brazen and impudent usurpation of power. It is claimed for him by some as commander-in-chief of the army and navy. How absurd that a mere executive officer should claim creative powers. Though commander-in-chief by the Constitution, he would have nothing to command, either by land or water until Congress raised both army and navy. Congress also prescribes the rules and regulations to govern the army; even that is not left to the Commander-in-chief.

Though the President is commander-in-chief, Congress is his commander; and, God willing, he shall obey. He and his minions shall learn that this is not a government of kings and satraps, but a government of the people, and that Congress is the people. * * * To reconstruct the nation, to admit new States, to guarantee republican governments to old States, are all legislative acts. The President claims the right to exercise them. Congress denies it, and

asserts the right to belong to the legislative branch. They have determined to defend these rights against all usurpers. They have determined that, while in their keeping, the Constitution shall not be violated with impunity. This I take to be the great question between the President and Congress. He claims the right to reconstruct by his own power. Congress denies him all power in the matter except that of advice, and has determined to maintain such denial. "My policy" asserts full power in the Executive. The policy of Congress forbids him to exercise any power therein.

Beyond this I do not agree that the "policy" of the parties is defined. To be sure, many subordinate items of the policy of each may be easily sketched. The President * * * desires that the traitors (having sternly executed that most important leader, Rickety Wirz, as a high example) should be exempt from further fine, imprisonment, forfeiture, exile, or capital punishment, and be declared entitled to all the rights of loyal citizens. He desires that the States created by him shall be acknowledged as valid States, while at the same time he inconsistently declares that the old rebel States are in full existence, and always have been, and have equal

rights with the loyal States. He opposes the amendment to the Constitution which changes the basis of representation, and desires the old slave States to have the benefit of their increase of freemen without increasing the number of votes; in short, he desires to make the vote of one rebel in South Carolina equal to the votes of three freemen in Pennsylvania or New York. He is determined to force a solid rebel delegation into Congress from the South, which, together with Northern Copperheads, could at once control Congress and elect all future Presidents.

Congress refuses to treat the States created by him as of any validity, and denies that the old rebel States have any existence which gives them any rights under the Constitution. Congress insists on changing the basis of representation so as to put white voters on an equality in both sections, and that such change shall precede the admission of any State. * * * Congress denies that any State lately in rebellion has any government or constitution known to the Constitution of the United States, or which can be recognized as a part of the Union. How, then, can such a State adopt the (XIIIth) amendment? To allow it would be yielding

the whole question, and admitting the unimpaired rights of the seceded States. I know of no Republican who does not ridicule what Mr. Seward thought a cunning movement, in counting Virginia and other outlawed States among those which had adopted the constitutional amendment abolishing slavery.

It is to be regretted that inconsiderate and incautious Republicans should ever have supposed that the slight amendments already proposed to the Constitution, even when incorporated into that instrument, would satisfy the reforms necessary for the security of the government. Unless the rebel States, before admission, should be made republican in spirit, and placed under the guardianship of loyal men, all our blood and treasure will have been spent in vain. * * * The law of last session with regard to Territories settled the principles of such acts. Impartial suffrage, both in electing the delegates and in ratifying their proceedings, is now the fixed rule. There is more reason why colored voters should be admitted in the rebel States than in the Territories. In the States they form the great mass of the loyal men. Possibly, with their aid, loyal governments may be established in most of those States. Without it all

are sure to be ruled by traitors; and loyal men, black or white, will be oppressed, exiled, or murdered.

There are several good reasons for the passage of this bill. In the first place, it is just. I am now confining my argument to negro suffrage in the rebel States. Have not loyal blacks quite as good a right to choose rulers and make laws as rebel whites? In the second place, it is a necessity in order to protect the loyal white men in the seceded States. With them the blacks would act in a body; and it is believed then, in each of said States, except one, the two united would form a majority, control the States, and protect themselves. Now they are the victims of daily murder. They must suffer constant persecution or be exiled.

Another good reason is that it would insure the ascendency of the Union party. "Do you avow the party purpose?" exclaims some horror-stricken demagogue. I do. For I believe, on my conscience, that on the continued ascendency of that party depends the safety of this great nation. If impartial suffrage is excluded in the rebel States, then every one of them is sure to send a solid rebel representation to Congress, and cast a solid rebel electoral vote. They,

with their kindred Copperheads of the North, would always elect the President and control Congress. While slavery sat upon her defiant throne, and insulted and intimidated the trembling North, the South frequently divided on questions of policy between Whigs and Democrats, and gave victory alternately to the sections. Now, you must divide them between loyalists, without regard to color, and disloyalists, or you will be the perpetual vassals of the free-trade, irritated, revengeful South. For these, among other reasons, I am for negro suffrage in every rebel State. If it be just, it should not be denied; if it be necessary, it should be adopted; if it be a punishment to traitors, they deserve it.

JAMES ABRAM GARFIELD,

OF OHIO.

(BORN 1831, DIED 1881.)

ON THE REACTION AGAINST RECONSTRUCTION; HOUSE OF REPRESENTATIVES, MARCH 29, 1879.

MR. CHAIRMAN:

I have no hope of being able to convey to the members of this House my own conviction of the very great gravity and solemnity of the crisis which this decision of the Chair and of the Committee of the Whole has brought upon this country. I wish I could be proved a false prophet in reference to the result of this action. I wish I could be overwhelmed with the proof that I am utterly mistaken in my views. But no view I have ever taken has entered more deeply and more seriously into my convictions than this: that this House has resolved to-day to enter upon a revolution against the Constitution and Government of the United States. I do not know that the intention exists in the minds of half the Representatives who occupy

the other side of this Hall. I hope it does not. I am ready to believe it does not exist to any large extent. But I mean to say the consequences of the programme just adopted, if persisted in, is nothing less than the total subversion of this government.

Let me in the outset state, as carefully as I may, the precise situation. At the last session all our ordinary legislative work was done, in accordance with the usages of the House and the Senate, except as to two bills. Two of the twelve great appropriation bills for the support of the government were agreed to in both Houses as to every matter of detail concerning the appropriations proper. We were assured by the Committees of Conference in both bodies that there would be no difficulty in adjusting all differences in reference to the amount of money to be appropriated and the objects of its appropriation. But the House of Representatives proposed three measures of distinctly independent legislation; one upon the army appropriation bill, and two upon the legislative appropriation bill. The three grouped together are briefly these: first, the substantial modification of certain sections of the law relating to the use of the army; second, the repeal of the

jurors' test oath; and third, the repeal of the laws regulating elections of members of Congress.

These three propositions of legislation were insisted upon by the House, but the Senate refused to adopt them. So far it was an ordinary proceeding, one which occurs frequently in all legislative bodies. The Senate said to us through their conferees: "We are ready to pass the appropriation bills, but we are unwilling to pass as riders the three legislative measures you ask us to pass." Thereupon the House said, through its Conference Committee —and, in order that I may do exact justice, I read from the speech of the distinguished Senator from Kentucky [Mr. Beck] on the report of the Conference Committee:

> The Democratic conferees on the part of the House seem determined that unless those rights were secured to the people [alluding to the three points I have named] in the bill sent to the Senate, they would refuse, under their constitutional right, to make appropriations to carry on the government, if the dominant majority in the Senate insisted upon the maintenance of these laws and *refused to consent* to their repeal.

Then, after stating that if the position they had taken compelled an extra session, and that the new Congress would offer the repealing

bills separately, and forecasting what would happen when the new House should be under no necessity of coercing the Senate, he declared that:

> If, however, the President of the United States, in the exercise of the power vested in him, should see fit to veto the bills thus presented to him, * * * then I have no doubt those same amendments will be again made part of the appropriation bills, and it will be for the President to determine whether he will block the wheels of government and refuse to accept necessary appropriations rather than allow the Representatives of the people to repeal odious laws which they regard as subversive of their rights and privileges. * * * Whether that course is right or wrong it will be adopted, and I have no doubt adhered to, no matter what happens with the appropriation bills.

That was the proposition made by the Democracy in Congress at the close of the Congress now dead.

Another distinguished Senator (Mr. Thurman)—and I may properly refer to Senators of a Congress not now in existence,—reviewing the situation, declared in still more succinct terms:

> We claim the right, which the House of Commons in England established after two centuries of contest, to say that we will not grant the money of the people unless there is a redress of grievances.

These propositions were repeated with various degrees of vehemence by the majority in the House.

The majority in the Senate and the minority on this floor expressed the deepest anxiety to avoid an extra session and to avert the catastrophe thus threatened—the stoppage of the government. They pointed out the danger to the country and its business interests of an extra session of Congress, and expressed their willingness to consent to any compromise consistent with their views of duty which should be offered—not in the way of coercion, but in the way of fair adjustment,—and asked to be met in a spirit of just accommodation on the other side. Unfortunately no spirit of adjustment was manifested in reply to their advances. And now the new Congress is assembled; and after ten days of caucus deliberation, the House of Representatives has resolved substantially to reaffirm the positions of its predecessors, except that the suggestion of Senator Beck to offer the independent legislation in a separate bill has been abandoned. By a construction of the rules of the House, far more violent than any heretofore given, a part of this independent legislation is placed on the pending bill for the support of the army; and this House has determined to begin its career by the extremest form of coercive legislation.

In my remarks to-day I shall confine myself almost exclusively to the one phase of the controversy presented in this bill.

Mr. Chairman, viewed from the standpoint of a foreigner, our government may be said to be the feeblest on earth. From our standpoint, and with our experience, it is the mightiest. But why would a foreigner call it the feeblest? He can point out a half dozen ways in which it can be destroyed without violence. Of course, all governments may be overturned by the sword; but there are several ways in which our government may be annihilated without the firing of a gun.

For example, if the people of the United States should say we will elect no Representatives to the House of Representatives. Of course, this is a violent supposition; but suppose that they do not, is there any remedy? Does our Constitution provide any remedy whatever? In two years there would be no House of Representatives; of course no support of the government, and no government. Suppose, again, the States should say, through their Legislatures, we will elect no Senators. Such abstention alone would absolutely destroy this government; and our system pro-

vides no process of compulsion to prevent it.

Again, suppose the two Houses were assembled in their usual order, and a majority of one in this body or in the Senate should firmly band themselves together and say, we will vote to adjourn the moment the hour of meeting arrives, and continue so to vote at every session during our two years of existence; the government would perish, and there is no provision of the Constitution to prevent it. Or again, if a majority of one of either body should declare that they would vote down, and did vote down, every bill to support the government by appropriations, can you find in the whole range of our judicial or our executive authority any remedy whatever? A Senator or a member of this House is free, and may vote "no" on every proposition. Nothing but his oath and his honor restrains him. Not so with executive and judicial officers. They have no power to destroy this government. Let them travel an inch beyond the line of the law, and they fall within the power of impeachment. But, against the people who create Representatives; against the Legislatures who create Senators; against Senators and Representatives in these Halls, there is no power of impeachment; there is no

remedy, if, by abstention or by adverse votes, they refuse to support the government.

At a first view, it would seem strange that a body of men so wise as our fathers were should have left a whole side of their fabric open to these deadly assaults; but on a closer view of the case their wisdom will appear. What was their reliance? This: the sovereign of this nation, the God-crowned and Heaven-anointed sovereign, in whom resides "the State's collected will," and to whom we all owe allegiance, is the people themselves. Inspired by a love of country and a deep sense of obligation to perform every public duty; being themselves the creators of all the agencies and forces to execute their own will, and choosing from themselves their Representatives to express that will in the forms of law, it would have been like a suggestion of suicide to assume that any of these great voluntary powers would be turned against the life of the government. Public opinion—that great ocean of thought from whose level all heights and all depths are measured—was trusted as a power amply able, and always willing, to guard all the approaches on that side of the Constitution from any assault on the life of the nation.

Up to this hour our sovereign has never failed us. There has never been such a refusal to exercise those primary functions of sovereignty as either to endanger or cripple the government; nor have the majority of the Representatives of that sovereign in either House of Congress ever before announced their purpose to use their voluntary powers for its destruction. And now, for the first time in our history, and I will add for the first time for at least two centuries in the history of any English-speaking nation, it is proposed and insisted upon that these voluntary powers shall be used for the destruction of the government. I want it distinctly understood that the proposition which I read at the beginning of my remarks, and which is the programme announced to the American people to-day, is this: that if this House cannot have its own way in certain matters, not connected with appropriations, it will so use, or refrain from using, its voluntary powers as to destroy the government.

Now, Mr. Chairman, it has been said on the other side that when a demand for the redress of grievances is made, the authority that runs the risk of stopping and destroying the government is the one that resists the redress. Not

so. If gentlemen will do me the honor to follow my thought for a moment more I trust I will make this denial good.

Our theory of law is free consent. That is the granite foundation of our whole superstructure. Nothing in this republic can be law without consent—the free consent of the House; the free consent of the Senate; the free consent of the Executive, or, if he refuse it, the free consent of two thirds of these bodies. Will any man deny that? Will any man challenge a line of the statement that free consent is the foundation rock of all our institutions? And yet the programme announced two weeks ago was that if the Senate refused to consent to the demand of the House the government should stop. And the proposition was then, and the programme is now, that, although there is not a Senate to be coerced, there is still a third independent branch in the legislative power of the government whose consent is to be coerced at the peril of the destruction of this government; that is, if the President, in the discharge of his duty, shall exercise his plain constitutional right to refuse his consent to this proposed legislation, the Congress will so use its voluntary powers as to

destroy the government. This is the proposition which we confront; and we denounce it as revolution.

It makes no difference, Mr. Chairman, what the issue is. If it were the simplest and most inoffensive proposition in the world, yet if you demand, as a matter of coercion, that it shall be adopted against the free consent prescribed in the Constitution, every fair-minded man in America is bound to resist you as much as though his own life depended upon his resistance.

Let it be understood that I am not arguing the merits of any one of the three amendments. I am discussing the proposed method of legislation; and I declare that it is against the Constitution of our country. It is revolutionary to the core, and it is destructive of the fundamental element of American liberty, the free consent of all the powers that unite to make laws.

In opening this debate I challenge all comers to show a single instance in our history where this consent has been coerced. This is the great, the paramount issue, which dwarfs all others into insignificance. * * *

But I am compelled by the necessities of the

case to refer to a chapter of our recent history. The last act of Democratic domination in this Capitol, eighteen years ago, was striking and dramatic, perhaps heroic. Then the Democratic party said to the Republicans: "If you elect the man of your choice as President of the United States we will shoot your government to death"; and the people of this country, refusing to be coerced by threats of violence, voted as they pleased, and lawfully elected Abraham Lincoln as President of the United States.

Then your leaders, though holding a majority in the other branch of Congress, were heroic enough to withdraw from their seats and fling down the gage of mortal combat. We called it rebellion; but we recognized it as courageous and manly to avow your purpose, take all the risks, and fight it out in the open field. Notwithstanding your utmost efforts to destroy it, the government was saved. Year by year since the war ended those who resisted you have come to believe that you have fully renounced your purpose to destroy and are willing to maintain the government. In that belief you have been permitted to return to power in the two Houses.

To-day, after eighteen years of defeat, the

book of your domination is again opened, and your first act awakens every unhappy memory and threatens to destroy the confidence which your professions of patriotism inspired. You turned down a leaf of history that recorded your last act of power in 1861, and you have now signalized your return to power by beginning a second chapter at the same page; not this time by an heroic act that declares war on the battle-field, but you say if all the legislative powers of the government do not consent to let you tear certain laws out of the statute-book you will not shoot our government to death as you tried to do in the first chapter, but you declare that if we do not consent against our will, if you cannot coerce an independent branch of this government, against its will, to allow you to tear from the statute-books some laws put there by the will of the people, you will starve the government to death.

Between death on the field and death by starvation, I do not know that the American people will see any great difference. The end, if successfully reached, would be death in either case. Gentlemen, you have it in your power to kill this government; you have it in your power, by withholding these two bills, to smite

the nerve-centres of our Constitution with the paralysis of death, and you have declared your purpose to do this, if you cannot break down that fundamental element of free consent which up to this hour has always ruled in the legislation of this government. * * *

Gentlemen, we have calmly surveyed this new field of conflict; we have tried to count the cost of the struggle, as we did that of 1861 before we took up your gage of battle. Though no human foresight could forecast the awful loss of blood and treasure, yet in the name of liberty and union we accepted the issue and fought it out to the end. We made the appeal to our august sovereign, to the omnipotent public opinion of America, to determine whether the Union should perish at your hands. You know the result. And now lawfully, in the exercise of our right as Representatives, we take up the gage you have this day thrown down, and appeal again to our common sovereign to determine whether you shall be permitted to destroy the principle of free consent in legislation under the threat of starving the government to death.

We are ready to pass these bills for the support of the Government at any hour when you

will offer them in the ordinary way, by the methods prescribed in the Constitution. If you offer those propositions of legislation as separate measures we will meet you in the fraternal spirit of fair debate and will discuss their merits. Some of your measures many of us will vote for in separate bills. But you shall not coerce any independent branch of this government, even by the threat of starvation, to consent to surrender its voluntary powers until the question has been appealed to the sovereign and decided in your favor. On this ground we plant ourselves, and here will stand to the end. * * *

JOSEPH C. S. BLACKBURN,

OF KENTUCKY.

(BORN 1838.)

REPLY TO MR. GARFIELD; HOUSE OF REPRESENTATIVES, APRIL 3, 1879.

MR. CHAIRMAN:

I do not intend, sir, to be personal in any thing that I may say. There has come from different members of the other side of the House during this debate that which, in my judgment, requires and merits notice, and I shall go back, before I shall have finished, several days to reply as best I may to the points that have been made by the distinguished gentleman from Ohio (Mr. Garfield). * * *

It is charged, sir, not that the amendment under consideration involves of itself an unconstitutional piece of legislation, but it is urged by various distinguished members on this floor that it is revolutionary in its character; that it has no proper place on an appropriation bill;

that it is out of line, and deserves the condemnation of the House because it is an exotic in this connection and should have been considered as an independent bill. It is charged, further, that the tendency and operation of it will be to restrict the power of the Presidency as Comander-in-Chief of the Army of the United States.

Now, Mr. Chairman, he is but a poor student of this country's history who is not able to satisfy himself that from the very formation of the Federal Constitution down to the present time it has ever been held, and that by the highest authorities of the land, and never successfully denied, that it was a power not only of the American Congress, but a power of this House, to control the employment of the army by a withholding of supplies.

The debates upon the formation of the Federal Constitution which lie before me show that the brightest intellects assembled in that convention asserted this doctrine in its broadest term, and no man dared gainsay it. It is one of those features of English liberty that have come down to us by adoption.

It was so stated in the debates upon the formation of this instrument, as given to us, that

it is ever and always in the power of the House of Representatives, by copying the example of the House of Commons of England in withholding supplies, to control absolutely the employment and conduct of the army. You may follow that theory down at short intervals, and in 1819, when an army appropriation bill was considered and passed in this Chamber, and it was proposed to restrict the power of the President by specifying the purpose to which the appropriations should be applied, the very same argument was made against it then that our friends on the other side hurl against us now.

It was upon that occasion that Mr. Mercer, one of the brightest among the law-makers of the government of his day, asserted upon this floor, without encountering contradiction, that it was in the power of the House of Representatives to withhold supplies altogether for the maintenance of the army, if, indeed, that should become necessary to control its operation. It was then that one whose patriotism has never been questioned, though it has survived through the greater portion of a fading century only to grow brighter as the ages go by,—it was then that not only Kentucky's but America's great commoner, Mr. Clay, declared in his burning

words of eloquence, uttered where we now sit, that he was ready to make the issue with the Executive and offer him a bill with the objectionable features incorporated in it, and to say to the Executive: "Sign or refuse to sign it; but if you do refuse to sign it, declaring that we have not the power to pass it, then my answer to you shall be, neither has the Executive the power that you arrogate to yourself." And you may come down from then till now, and never in the history of this government has it been denied that the Constitution itself, which gives to Congress the right to pass these money bills to provide means for the support and maintenance of a military establishment, carries with it the resultant right on the part of Congress to withhold these appropriations when, in its judgment, it is necessary to prevent abuses in the employment of the military.

In the very nature of things this proposed amendment of the law cannot be revolutionary. It is a repealing statute; its only purpose and object is to repeal an existing law. I will not pause now to tell how or under what circumstances it was passed; I will not now pause to delineate the motives which, in a great measure, because of the prevalence of natural pas-

sions, inspired, if they did not excuse, the passage of this law. But in the very nature of things this amendment cannot be revolutionary. Negative legislation is never revolutionary. This is not affirmative legislation, twist the issue as the gentleman from New Jersey (Mr. Robeson) may seek to do. Buckle, the most philosophic of all historians, either ancient or modern, has told us that the statesman and the law-maker seldom, if ever, render a benefit to mankind by the enactment of affirmative laws; that it is rather by the repealing of obnoxious and vicious enactments that they entitle themselves to the gratitude of humanity. * * *

But it is said that it is not in its proper place when ingrafted upon an appropriation bill.

Is there a gentleman in this Chamber who will dare deny or take issue upon the assertion —and I make it measuring the full import of my words after a careful examination of the statutes—that more than one third of the permanent legislation affecting or relating to the army of this government, as it stands upon the statute-books of your country to-day, has been put there as riders upon army appropriation bills?

I do not care to trench upon the patience of

this committee by any elaborate review of the countless instances which that side of the House has furnished us in the shape of precedents for the action that we take. Sir, if lectures upon revolution are to be read to us, let them come from some quarter and from some member who is not himself convicted on the record. * * *

The gentleman from Ohio, in that effective and able speech to which he treated this House a few days ago, used the following language, which I read from the *Record*:

> In opening this debate, I challenge all comers to show a single instance in our history where this consent has been coerced.
>
> What consent? The consent of the Executive by extraneous matter injected into appropriation bills.

This is the great, the paramount issue, which dwarfs all others into insignificance.

I accept the gage of battle that the gentleman throws down. I read from the records and show him the instance he seeks. I find that on the second day of March, 1867, a thing occurred in this House of which the gentleman should have been cognizant, for he was then as now an honored member on this floor. I find the following message was sent by the Presi-

dent of the United States to the House of Representatives :

To the House of Representatives :

The act entitled "An act making appropriations for the support of the army—

Ah, by a singular coincidence that too was an army bill, just as this is—

The act entitled "An act making appropriations for the support of the army for the year ending June 30, 1868, and for other purposes," contains provisions to which I must call attention. Those provisions are contained in the second section, which in certain cases virtually deprives the President of his constitutional functions as Commander-in-Chief of the Army, and in the sixth section, which denies to ten States of this Union their constitutional right to protect themselves in any emergency by means of their own militia. These provisions are out of place in an appropriation act.—

Did the gentleman from Ohio borrow his recently used protest from this official protest of the Executive of this country?—

These provisions are out of place in an appropriation act. I am compelled to defeat these necessary appropriations if I withhold my signature to the act. Pressed by these considerations—

I grant you he does not say "coerced"—

Pressed by these considerations, I feel constrained to return the bill with my signature, but to accompany it with my protest against the sections which I have indicated.

ANDREW JOHNSON.

March 2, 1867.

Is there no coercion there? Why, sir, the record is full. In an act making appropriations for the sundry civil expenses of this government for the year ending June 30, 1865, it was provided that in the courts of the United States there should be no exclusion of any witness on account of color, or in any other civil action because he is a party interested in the issue to be tried. Is not that extraneous matter? Yet upon this bill the record shows that the gentleman from Ohio is found voting in the list of ayes. * * *

But, sir, I am not through with the speech which the gentleman has made. He tells us:

> The proposition now is, that after fourteen years have passed, and not one petition from one American citizen has come to us asking that this law be repealed; while not one memorial has found its way to our desks complaining of the law, so far as I have heard, the Democratic House of Representatives now holds that if they are not permitted to force upon another House and upon the Executive against their consent the repeal of a law that Democrats made, this refusal shall be considered a sufficient ground for starving this government to death. That is the proposition which we denounce as revolution.

And that was received with applause on the Republican side. Does the gentleman from Ohio mean to stand upon that declaration? By

that significant nod he says that he does. Does he not know that the Congress just expired bore upon its files petition, memorial after memorial, in contested election-cases, sent by the House to its committee, protesting against the presence of the military at the polls, and denouncing the usurpation, demanding its repeal, in order that a free ballot might be had. Does the gentleman fail to remember that the State of Louisiana, a sovereign State of this confederacy once more, thank God, sent her memorial to these Halls, in which in thunder tones she uttered her anathemas against the very practice which this amendment seeks to correct? * * *

There is but one issue here, and I insist that neither this House nor the people of this country shall be allowed to wander from it. It is but this, and nothing more: whether the military power shall be allowed at your polls; whether the elections shall be guarded by the mailed hand of military power; whether the ballot-box, that last and safest shield of the freeman's liberties, shall be turned over to the tender mercies of the armies of your land. Or to state it yet more tersely and probably more fairly, it is simply whether the spirit and the

genius of this government shall be reversed, and whether the civil shall be made subordinate to the military power. * * *

It is this question, and it is none other, that I insist shall be kept before this House. We are declaring that the ballot shall be free. We are denying that it is either constitutional, legal, just, fair, or decent, to subject the sovereign to the surveillance of the soldier.

Now, upon that issue the gentleman from Ohio and his associates tell us that they stand committed. I answer so do we.

We are willing to discuss it, and for my part I shall oppose any limitation being put upon this debate. If we cannot stand upon an issue so broad, so constitutional, so catholic, so fair, so free as this, then tell me in Heaven's name where are there battlements strong enough for us to get behind? Let it go to the country that one party asserts that the manacles shall fall from the limbs of the citizen, and that the army shall not hold its mailed hand at the throat of the sovereign, and that the other party refuses to release the throttling grasp, and declares that it will block the wheels of government and bring it to starvation.

I am willing, and those with whom I stand

are willing, to accept this issue, and we go further, we tender it. We are the ones to make the issue and we are ready for you to accept it. Planting ourselves upon this broad ground, we welcome controversy. We seek no quarrel with you, but for the first time in eighteen years past the Democracy is back in power in both branches of this Legislature, and she proposes to signalize her return to power, she proposes to celebrate her recovery of her long-lost heritage, by tearing off these degrading badges of servitude and destroying the machinery of a corrupt and partisan legislation.

We do not intend to stop until we have stricken the last vestige of your war measures from the statute-book, which, like these, were born of the passions incident to civil strife, and looked to the abridgment of the liberty of the citizen.

We demand an untrammelled election; no supervising of the ballot by the army. Free, absolutely free right to the citizen in the deposit of his ballot as a condition-precedent to the passage of your bills. * * *

Standing upon such grounds, we intend to deny to the President of this republic the right to exercise such constitutional power. We do

not mean to pitch this contest upon ground of objection to him who happens, if not by the grace of God yet by the run of luck, to be administering that office. I tell you here that if from that canvas [pointing to the picture of Washington] the first President of this republic should step down and resume those powers that the grateful people of an infant republic conferred on him as their first Chief Magistrate,—if he were here, fired by that patriotic ardor that moved him in the earlier and better days of this republic, to him we would never consent to yield such dangerous and unwarranted powers, to rest the liberties of the citizen upon any one man's discretion, nor would he receive it.

It was not for the earlier but for the later Executives of this government to grasp and seek to retain such questionable prerogatives. You cannot have it. The issue is made—it is made upon principle, not upon policy. It cannot be abandoned ; it will not be surrendered. Standing upon such ground, clothed in such a panoply, resting this case upon the broadest principles of eternal justice, we are content to appeal to the people in this land. There is no tribunal to which we are not willing to carry this case of contest ; and we are willing to allow Him who

rules the destinies of men to judge between us and give the victory to the right.

I do not mean to issue a threat. Unlike the gentleman from Ohio I disclaim any authority to threaten. But I do mean to say that it is my deliberate conviction that there is not to be found in this majority a single man who will ever consent to abandon one jot or tittle of the faith that is in him. He cannot surrender if he would. I beg you to believe he will not be coerced by threats nor intimidated by parade of power. He must stand upon his conviction, and there we will all stand. He who dallies is a dastard, and he who doubts is damned.

ATTICUS G. HAYGOOD,

OF GEORGIA.

(BORN 1839.)

THANKSGIVING SERMON, THE NEW SOUTH; EMORY COLLEGE, OXFORD, GA., NOVEMBER 25, 1880.

I MAY possibly, but I trust not, speak of some things that you may not relish, and advance some views that you may not approve. If so, I only ask a fair and reasonable reflection upon them. If you should condemn them, I have left me at least the satisfaction of being quite sure that I am right, and that, if you live long enough, you will agree with me. And first, we of the South have great reason to be thankful to God that we are in all respects so well off; and that, too, so soon after so great a war, so complete an overturning of our institutions, so entire an overthrow of our industries, so absolute a defeat of our most cherished plans, Recall briefly the last twenty years. Think of what we were in 1860 and in 1865. Then look

about you and see what we are in 1880. What was thought by our people after Appomattox and April, 1865, as to the prospect before us? Some of you can recall the forebodings of that time as to the return of business prosperity, the restoration and preservation of civil and social order among ourselves, and the restoration of our relations to the Union. You know how many of our best and bravest left our section forever in sheer despair. Behold, now, what wonders have been wrought in fifteen years.

I.—Considering where and what we were fifteen years ago, considering the financial convulsions and panics that have swept over our country during that time, I might say that have disturbed the civilized world, our industrial and financial condition is marvellously good. It is not true, as certain croakers and "Bourbons," floated from their moorings by the rising tide of new and better ideas, are so fond of saying, that the South is getting poorer every day. These croakings are not only unseemly, they are false in their statements, as they are ungrateful in their sentiment. A right study of our tax returns will show that there is life and progress in the South. But

statistical tables are not the only witnesses in such a case. Let people use their own eyes. Here is this one fact—the cotton crop, as an exponent of the power of industrial system. In 1879 we made nearly five million bales; in 1880 it is believed that we will make nearly six million bales. We never made so much under the old system. It is nonsense to talk of a country as ruined that can do such things. There are more people at work in the South to-day than were ever at work before; and they are raising not only more cotton, but more of every thing else. And no wonder, for the farming of to-day is better than the farming of the old days, and in two grand particulars: first, better culture; and second, the ever-increasing tendency to break up the great plantations into small farms. Our present system is more than restoring what the old system destroyed.

The great body of our people not only make more than they did before the war, but they make a better use of it—they get unspeakably more comfort out of it. I am willing to make the comparison on any line of things that you may suggest, for I know both periods. Remember that I am speaking of the great mass of the people, and not of the few great slave-

holders, some of whom lived like princes, not forgetting, meantime, that the majority of our people never owned slaves at all.

For one illustration, take, if you please, the home life of our people. There is ten times the comfort there was twenty years ago. Travel through your own county—and it is rather below than above the average—by any public or private road. Compare the old and the new houses. The houses built recently are better every way than those built before the war. I do not speak of an occasional mansion, that in the old times lifted itself proudly among a score of cabins, but of the thousands of decent farm-houses, comely cottages, that have been built in the last ten years. I know scores whose new barns are better than their old residences. Our people have better furniture. Good mattresses have largely driven out the old time feathers. Cook stoves, sewing-machines, with all such comforts and conveniences, may be seen in a dozen homes to-day where you could hardly have found them in one in 1860. Lamps that make reading agreeable have driven out tallow dips, by whose glimmering no eyes could long read and continue to see. Better taste asserts itself; the new houses are

painted; they have not only glass, but blinds. There is more comfort inside. There are luxuries where once there were not conveniences. Carpets are getting to be common among the middle classes. There are parlor organs, pianos, and pictures, where we never saw them before. And so on, to the end of a long chapter.

Test the question of our better condition by the receipts of benevolent institutions, the support of the ministry, the building improvement, and furnishing of churches, and we have the same answer. Our people are better off now than in 1860. In reply to all this, some will say: "But it costs more to live than in 1860." I answer: "True enough; but there is more to live for."

II.—The social and civil order existing in the Southern States is itself wonderful, and an occasion for profound gratitude. For any wrongs that have been done in our section, for any acts of violence on any pretext, for any disobedience to law, I have not one word of defence. Admitting, for argument's sake, all that the bitterest of our censors have ever said on these subjects, I still say that, considering what were the conditions of life in the Southern States

after April, 1865, the civil and social order that exists in the South is wonderful. Our critics and censors forget, we must believe, the history of other countries. They have never comprehended the problem we had given us to work out after the surrender; only those who have lived through that period can ever understand it. Why, has not this whole Southern country repeated the scenes of Hayti and San Domingo? Not the repressive power of a strong government only; not the fear of the stronger race only; not that suggestions have been lacking from fierce and narrow fanatics; but chiefly in this—the conservative power of the Protestant religion, which had taken such deep root in the hearts and lives of our people. The controlling sentiment of the Southern people, in city and hamlet, in camp and field, among the white and black, has been religious.

III.—The restoration of our relations to the general government should excite our gratitude. Possibly some do not go with me here. Then I must go without them, but I shall not lack for company, and as the years pass it will be an ever-increasing throng. We must distinguish between a party we have for the most part antagonized, and the government it has so

long controlled. Whatever may be the faults of the party in power, or of the party out of power, this is, nevertheless, so far as I know, altogether the most satisfactory and desirable government in the world, and I am thankful to God, the disposer of the affairs of nations and of men, that our States are again in relations with the general government.

Should we be surprised or discouraged because our section does not control the government? History, if not reason, should teach us better. Is there a parallel to our history since 1860—war bitter, continued, and destructive, defeat utter and overwhelming, and all followed so soon by so great political influence and consideration as we now enjoy? When did a defeated and conquered minority ever before in the short space of fifteen years regain such power and influence in any age or nation? And this is the more wonderful when we consider the immeasurable capacity for blundering which the leaders of the dominant party in our section have manifested during those years of political conflict. And it is the more wonderful still when we consider how ready the dominant party of the other section has been to receive, as the expression of the fixed though secret sen-

timent of the mass of the Southern people, the wild utterances of a few extreme impracticables, who have never forgotten and have never learned. I tell you to-day that the sober-minded people who had read history did not in 1865 expect that our relations with the general government would be by 1880 as good as they are. But they would have been better than they are if the real sentiment of the masses on both sides could have gotten itself fairly expressed; for these masses wish to be friends, and before very long they will sweep from their way those who seek to hinder them. My congregation, looked at on all sides and measured by any tests, it is one of the wonders of history that our people have, in so short a time—fifteen years is a very short time in the history of a nation,—so far overcome the evil effects of one of the most bloody and desolating and exasperating wars ever waged in this world. And the facts speak worlds for our Constitution, for our form of government, and above all for our Protestant religion—a religion which will yet show itself to be the best healer of national wounds and the best reconciler of estranged brethren.

IV.—There is one great historic fact which

should, in my sober judgment, above all other things, excite everywhere in the South profound gratitude to Almighty God. I mean the abolition of African slavery.

If I speak only for myself, and I am persuaded that I do not, then be it so. But I, for one, thank God that there is no longer slavery in these United States. I am persuaded that I only say what the vast majority of our people feel and believe. I do not forget the better characteristics of African slavery as it existed among us for so long a time under the sanction of national law and under the protection of the Constitution of the United States; I do not forget that its worst features were often cruelly exaggerated, and that its best were unfairly minified; more than all, I do not forget that, in the providence of God, a work that is without a parallel in history was done on the Southern plantations,—a work that was begun by such men as Bishop Capers of South Carolina, Lovick Pierce and Bishop Andrew of Georgia, and by men like-minded with them,—a work whose expenses were met by the slave-holders themselves,—a work that resulted in the Christianizing of a full half million of the African people, who became communicants of our churches, and

of nearly the whole four or five millions who were brought largely under the all-pervasive and redeeming influence of our holy religion.

I have nothing to say at this time of the particular "war measure" that brought about their immediate and unconditioned enfranchisement, only that it is history, and that it is done for once and for all. I am not called on, in order to justify my position, to approve the political unwisdom of suddenly placing the ballot in the hands of nearly a million of unqualified men—only that, since it is done, this also is history, that we of the South should accept, and that our fellow-citizens of the North should never disturb it. But all these things, bad as they may have been, and unfortunate as they may yet be, are only incidental to the one great historic fact, that slavery exists no more. For this fact I devoutly thank God this day. And on many accounts:

1. For the negroes themselves. While they have suffered and will suffer many things in their struggle for existence, I do nevertheless believe that in the long run it is best for them. How soon they shall realize the possibilities of their new relations depends largely, perhaps most, on themselves. Much depends on those

who, under God, set them free. By every token this whole nation should undertake the problem of their education. That problem will have to be worked out on the basis of co-operation; that is, they must be helped to help themselves. To make their education an absolute gratuity will perpetuate many of the misconceptions and weaknesses of character which now embarrass and hinder their progress. Much also depends on the Southern white people, their sympathy, their justice, their wise and helpful co-operation. This we should give them, not reluctantly, but gladly, for their good and for the safety of all, for their elevation and for the glory of God. How we may do this may be matter for discussion hereafter.

2. I am grateful that slavery no longer exists, because it is better for the white people of the South. It is better for our industries and our business, as proved by the crops that free labor makes. But by eminence it is better for our social and ethical development. We will now begin to take our right place among both the conservative and aggressive forces of the civilized and Christian world.

3. I am grateful because it is unspeakably better for our children and our children's chil-

dren. It is better for them in a thousand ways. I have not time for discussion in detail now. But this, if nothing else, proves the truth of my position: there are more white children at work in the South to-day than ever before. And this goes far to account for the six million bales of cotton. Our children are growing up to believe that idleness is vagabondage. One other thing I wish to say before leaving this point. We hear much about the disadvantages to our children of leaving them among several millions of freedmen. I recognize them, and feel them; but I would rather leave my children among several millions of free negroes than among several millions of negroes in slavery.

But, leaving out of view at this time all discussion of the various benefits that may come through the enfranchisement of the negroes, I am thankful on the broad and unqualified ground that there is now no slavery in all our land.

Does any one say to me this day: "You have got new light; you have changed the opinions you entertained twenty years ago." I answer humbly, but gratefully, and without qualification: "I have got new light. I do now believe many things that I did not believe

twenty years ago. Moreover, if it please God to spare me in this world twenty years longer, I hope to have, on many difficult problems, more new light. I expect, if I see the dawn of 1900, to believe some things that I now reject, and to reject some things that I now believe. And I shall not be alone." * * *

My friends, my neighbors, and my pupils, I declare to you my hope that, in twenty years from now, the words "the South" shall have only a geographical significance. * * * I have spoken what I solemnly believe to be the truth. Moreover, the time has fully come when these truths should be spoken by somebody; and I try to do my part, persuaded that before many years there will happily be no longer any occasion or need for them to be spoken. There is no reason why the South should be despondent. Let us cultivate industry and economy, observe law and order, practise virtue and justice, walk in truth and righteousness, and press on with strong hearts and good hopes. The true golden day of the South is yet to dawn. But the light is breaking, and presently the shadows will flee away. Its fulness of splendor I may never see; but my children will see it, and I wish them to get ready for it while they may.

VIII.

FREE TRADE AND PROTECTION.

VIII.

FREE TRADE AND PROTECTION.

THE periods into which this series has been divided will furnish, perhaps, some key to the brief summary of tariff discussion in the United States which follows. For it is not at all true that tariff discussion or decision has been isolated; on the contrary, it has influenced, and been influenced by, every other phase of the national development of the country.

Bancroft has laid none too great stress on the influence of the English mercantile system in forcing the American Revolution, and on the attitude of the Revolution as an organized revolt against the English system. One of the first steps by which the Continental Congress asserted its claim to independent national action was the throwing open of American ports to the commerce of all nations—that is, to free

trade. It should, however, be added that the extreme breadth of this liberality was due to the inability of Congress to impose any duties on imports; it had a choice only between absolute prohibition and absolute free trade, and it chose the latter. The States were not so limited. Both under the revolutionary Congress and under the Confederation they retained the entire duty power, and they showed no fondness for free trade. Commerce in general was light, and tariff receipts, even in the commercial States, were of no great importance; but, wherever it was possible, commercial regulations were framed in disregard of the free-trade principle. In order to retain the trade in firewood and vegetables within her own borders, New York, in 1787, even laid prohibitory duties on Connecticut and New Jersey boats; and retaliatory measures were begun by the two States attacked.

The Constitution gave to Congress, and forbade to the States, the power to regulate commerce. As soon as the Constitution came to

be put into operation, the manner and objects of the regulation of commerce by Congress became a public question. Many other considerations were complicated with it. It was necessary for the United States to obtain a revenue, and this could most easily be done by a tariff of duties on imports. It was necessary for the Federalist majority to consider the party interests both in the agricultural States, which would object to protective duties, and in the States which demanded them. But the highest consideration in the mind of Hamilton and the most influential leaders of the party seems to have been the maintenance of the Union. The repulsive force of the States toward one another was still sufficiently strong to be an element of constant and recognized danger to the Union. One method of overcoming it, as a part of the whole Hamiltonian policy, was to foster the growth of manufactures as an interest entirely independent of State lines and dependent on the national government, which would throw its whole influence

for the maintenance of the Union. This feeling runs through the speeches even of Madison, who prefaced his remarks by a declaration in favor of "a trade as free as the policy of nations would allow." Protection, therefore, began in the United States as an instrument of national unity, without regard to national profit; and the argument in its favor would have been quite as strong as ever to the mind of a legislator who accepted every deduction as to the economic disadvantages of protection. Arguments for its economic advantages are not wanting; but they have no such form and consistency as those of subsequent periods. The result of the discussion was the tariff act of July 4, 1789, whose preamble stated one of its objects to be "the encouragement and protection of manufactures." Its average duty, however, was but about 8.5 per cent. It was followed by other acts, each increasing the rate of general duties, until, at the outbreak of the War of 1812, the general rate was about 21 per cent. The war added about 6 per cent. to this rate.

Growth toward democracy very commonly brings a curious bias toward protection, contrasted with the fundamental free-trade argument that a protective system and a system of slave labor have identical bases. The bias toward a pronounced protective system in the United States makes its appearance with the rise of democracy; and, after the War of 1812, is complicated with party interests. New England was still the citadel of Federalism. The war and its blockade had fostered manufactures in New England; and the manufacturing interest, looking to the Democratic party for protection, was a possible force to sap the foundations of the citadel. Dallas, of Pennsylvania, Secretary of the Treasury, prepared, and Calhoun carried through Congress, the tariff of 1816. It introduced several protective features, the "minimum" feature, by which the imported article was assumed to have cost at least a certain amount in calculating duties, and positive protection for cottons and woollens. The duties paid under this tariff were about 30 per

cent. on all imports, or 33 per cent. on dutiable goods. In 1824 and 1828, under the lead of Clay, tariffs were adopted which made the tariff of duties still higher and more systematically protective; they touched high-water mark in 1830, being 40 per cent. on all imports, or 48.8 per cent. on dutiable goods. The influence of nullification in forcing through the compromise tariff of 1833, with its regular decrease of duties for ten years, has been stated in the first volume.

Under the workings of the compromise tariff there was a steady decrease in the rate on all imports, but not in the rate on dutiable goods, the comparison being 22 per cent. on total to 32 per cent. on dutiable for 1833, and 16 per cent. on total to 32 per cent. on dutiable for 1841. The conjunction of the increase in non-dutiable imports and the approach of free trade, with general financial distress, gave the Whigs success in the elections of 1840; and in 1841 they set about reviving protection. Unluckily for them, their chosen President, Harrison, was

dead, and his successor, Tyler, a Democrat by nature, taken up for political reasons by the Whigs, was deaf to Whig eloquence on the subject of the tariff. After an unsuccessful effort to secure a high tariff and a distribution of the surplus among the States, the semi-protective tariff of 1842 became law. Its result for the next four years was that the rate on dutiable goods was altered very little, while the rate on total imports rose from 16 per cent. to 26 per cent. The return of the Democrats to power was marked by the passage of the revenue tariff of 1846, which lasted, with a slight further reduction of duties in 1857, until 1861. Under its operation the rates steadily decreased until, in 1861, they were 18.14 per cent. on dutiable goods, and 11.79 per cent. on total imports.

The platform of the Republican party in the election of 1856 made no declaration for or against free trade or protection. The results of the election showed that the electoral votes of Pennsylvania and Illinois would have been

sufficient to give the party a victory in 1856. Both party policy and a natural regard to its strong Whig membership dictated a return to the protective feature of the Whig policy. In March, 1860, Mr. Morrill introduced a protective tariff bill in the House of Representatives, and it passed that body; and, in June, the Republican National Convention adopted, as one of its resolutions, a declaration in favor of a protective system. The Democratic Senate postponed the Morrill bill until the following session. When it came up again for consideration, in February, 1861, conditions had changed very considerably. Seven States had seceded, taking off fourteen Senators opposed to the bill; and it was passed. It was signed by President Buchanan, March 2, 1861, and went into operation April 1, raising the rates to about 20 per cent. In August and in December, two other acts were passed, raising the rates still higher. These were followed by other increases, which ran the maximum up, in 1868, to 48 per cent. on dutiable goods, the highest rate

from 1860 to date. It may be noted, however, that the rate of 1830—48.8 per cent. on dutiable goods—still retains its rank as the highest in our history.

The controlling necessity for ready money, to prevent the over-issue of bonds and greenbacks, undoubtedly gained votes in Congress sufficient to sustain the policy of protection, as a means of putting the capital of the country into positions where it could be easily reached by internal-revenue taxation. This conjunction of internal revenue and protection proved a mutual support until the payment of the war debt had gone so far as to provoke the reaction. The Democratic National Convention of 1876 attacked the tariff system as a masterpiece of iniquity, but no distinct issue was made between the parties on this question. In 1880 and 1884, the Republican party was the one to force the issue of protection or free trade upon its opponent, but its opponent evaded it.

In 1884, both parties admit the necessity of a reduction in the rates of duties, if for no other

reason, in order to reduce the surplus of Government receipts over expenditures, which is a constant stimulus to congressional extravagance. The Republican policy is in general to retain the principle of protection in the reduction; while the Democratic policy, so far as it is defined, is to deal as tenderly as possible with interests which have become vested under a protective system. What influence will be exerted by the present over-production and depression in business cannot, of course, be foretold; but the report of Mr. McCulloch, Secretary of the Treasury, in December, 1884, indicates an attempt to induce manufacturers to submit to an abandonment of protection, as a means of securing a decrease in cost of production, and a consequent foreign market for surplus product.

In taking Clay's speech in 1832 as the representative statement of the argument for protection, the editor has consulted Professor Thompson, of the University of Pennsylvania, and has been guided by his advice. On the

other side, the statement of Representative Hurd, in 1881, has been taken as, on the whole, the best summary of the free-trade argument. In both cases, the difficulty has been in the necessary exclusion of merely written arguments.

HENRY CLAY,

OF KENTUCKY.

(BORN 1777, DIED 1852.)

ON THE AMERICAN SYSTEM; IN THE UNITED STATES SENATE, FEBRUARY 2–6, 1832.

THE question which we are now called upon to determine, is not, whether we shall establish a new and doubtful system of policy, just proposed, and for the first time presented to our consideration, but whether we shall break down and destroy a long-established system, carefully and patiently built up and sanctioned, during a series of years, again and again, by the nation and its highest and most revered authorities. And are we not bound deliberately to consider whether we can proceed to this work of destruction without a violation of the public faith? The people of the United States have justly supposed that the policy of protecting their industry against foreign legislation and foreign industry was fully settled, not by a single act,

but by repeated and deliberate acts of government, performed at distant and frequent intervals. In full confidence that the policy was firmly and unchangeably fixed, thousands upon thousands have invested their capital, purchased a vast amount of real and other estate, made permanent establishments, and accommodated their industry. Can we expose to utter and irretrievable ruin this countless multitude, without justly incurring the reproach of violating the national faith? * * *

When gentlemen have succeeded in their design of an immediate or gradual destruction of the American system, what is their substitute? Free trade! The call for free trade is as unavailing, as the cry of a spoiled child in its nurse's arms, for the moon, or the stars that glitter in the firmament of heaven. It never has existed, it never will exist. Trade implies at least two parties. To be free, it should be fair, equal, and reciprocal. But if we throw our ports wide open to the admission of foreign productions, free of all duty, what ports of any other foreign nation shall we find open to the free admission of our surplus produce? We may break down all barriers to free trade on our part, but the work will not be complete until

foreign powers shall have removed theirs. There would be freedom on one side, and restrictions, prohibitions, and exclusions on the other. The bolts and the bars and the chains of all other nations will remain undisturbed. It is, indeed, possible, that our industry and commerce would accommodate themselves to this unequal and unjust state of things; for, such is the flexibility of our nature, that it bends itself to all circumstances. The wretched prisoner incarcerated in a jail, after a long time, becomes reconciled to his solitude, and regularly notches down the passing days of his confinement.

Gentlemen deceive themselves. It is not free trade that they are recommending to our acceptance. It is, in effect, the British colonial system that we are invited to adopt; and, if their policy prevails, it will lead substantially to the recolonization of these States, under the commercial dominion of Great Britain. * * *

I dislike this resort to authority, and especially *foreign* and *interested* authority, for the support of principles of public policy. I would greatly prefer to meet gentlemen upon the broad ground of fact, of experience, and of reason; but, since they will appeal to British names and authority, I feel myself compelled

to imitate their bad example. Allow me to quote from the speech of a member of the British Parliament, bearing the same family name with my Lord Goderich, but whether or not a relation of his, I do not know. The member alluded to was arguing against the violation of the treaty of Methuen—that treaty not less fatal to the interests of Portugal than would be the system of gentlemen to the best interests of America,—and he went on to say:

"*It was idle for us to endeavor to persuade other nations to join with us in adopting the principles of what was called 'free trade.' Other nations knew, as well as the noble lord opposite, and those who acted with him, what we meant by 'free trade' was nothing more nor less than, by means of the great advantages we enjoyed, to get a monopoly of all their markets for our manufactures, and to prevent them, one and all, from ever becoming manufacturing nations.* When the system of reciprocity and free trade had been proposed to a French ambassador, his remark was, that the plan was excellent in theory, but, to make it fair in practice, it would be necessary to defer the attempt to put it in execution for half a century, until France should be on the same footing with Great Britain, in marine, in manufactures, in capital, and the many other peculiar advantages which it now enjoyed. The policy that France acted on

was that of encouraging its *native* manufactures, and it was a *wise* policy; because, if it were freely to admit our manufactures, it would speedily be reduced to the rank of an *agricultural nation*, and *therefore* a poor nation, as all must be that depend *exclusively* upon agriculture. America acted, too, upon the same principle with France. America legislated for futurity—legislated for an increasing population. America, too, was prospering under this system. In twenty years, America would be independent of England for manufactures altogether. * * * But since the peace, France, Germany, America, and all the other countries of the world, had proceeded upon the principle of encouraging and protecting native manufacturers." * * *

I regret, Mr. President, that one topic has, I think, unnecessarily been introduced into this, debate. I allude to the charge brought against the manufacturing system, as favoring the growth of aristocracy. If it were true, would gentlemen prefer supporting foreign accumulations of wealth by that description of industry, rather than in their own country? But is it correct? The joint-stock companies of the North, as I understand them, are nothing more than associations, sometimes of hundreds, by means of which the small earnings of many are

brought into a common stock, and the associates, obtaining corporate privileges, are enabled to prosecute, under one superintending head, their business to better advantage. Nothing can be more essentially democratic or better devised to counterpoise the influence of individual wealth. In Kentucky, almost every manufactory known to me is in the hands of enterprising and self-made men, who have acquired whatever wealth they possess by patient and diligent labor. Comparisons are odious, and but in defence would not be made by me. But is there more tendency to aristocracy in a manufactory, supporting hundreds of freemen, or in a cotton plantation, with its not less numerous slaves, sustaining perhaps only two white families—that of the master and the overseer?

I pass, with pleasure, from this disagreeable topic, to two general propositions which cover the entire ground of debate. The first is, that, under the operation of the American system, the objects which it protects and fosters are brought to the consumer at cheaper prices than they commanded prior to its introduction, or, than they would command if it did not exist. If that be true, ought not the country to be contented and satisfied with the system, unless

the second proposition, which I mean presently also to consider, is unfounded? And that is, that the tendency of the system is to sustain, and that it has upheld, the prices of all our agricultural and other produce, including cotton.

And is the fact not indisputable that all essential objects of consumption affected by the tariff are cheaper and better since the act of 1824 than they were for several years prior to that law? I appeal for its truth to common observation, and to all practical men. I appeal to the farmer of the country whether he does not purchase on better terms his iron, salt, brown sugar, cotton goods, and woollens, for his laboring people? And I ask the cotton-planter if he has not been better and more cheaply supplied with his cotton-bagging? In regard to this latter article, the gentleman from South Carolina was mistaken in supposing that I complained that, under the existing duty, the Kentucky manufacturer could not compete with the Scotch. The Kentuckian furnishes a more substantial and a cheaper article, and at a more uniform and regular price. But it was the frauds, the violations of law, of which I did complain; not smuggling, in the common sense

of that practice, which has something bold, daring, and enterprising in it, but mean, barefaced cheating, by fraudulent invoices and false denominations.

I plant myself upon this fact, of cheapness and superiority, as upon impregnable ground. Gentlemen may tax their ingenuity, and produce a thousand speculative solutions of the fact, but the fact itself will remain undisturbed. Let us look into some particulars. The total consumption of bar-iron in the United States is supposed to be about 146,000 tons, of which 112,866 tons are made within the country, and the residue imported. The number of men employed in the manufacture is estimated at 29,254, and the total number of persons subsisted by it at 146,273. The measure of protection extended to this necessary article was never fully adequate until the passage of the act of 1828; and what has been the consequence? The annual increase of quantity since that period has been in a ratio of near twenty-five per centum, and the wholesale price of bar-iron in the Northern cities was, in 1828, $105 per ton; in 1829, $100; in 1830, $90; and in 1831, from $85 to $75—constantly diminishing. We import very little English iron, and that which

we do is very inferior, and only adapted to a few purposes. In instituting a comparison between that inferior article and our superior iron, subjects entirely different are compared. They are made by different processes. The English cannot make iron of equal quality to ours at a less price than we do. They have three classes, best-best, and best, and ordinary. It is the latter which is imported. Of the whole amount imported there is only about 4,000 tons of foreign iron that pays the high duty, the residue paying only a duty of about thirty per centum, estimated on the prices of the importation of 1829. Our iron ore is superior to that of Great Britain, yielding often from sixty to eighty per centum, while theirs produces only about twenty-five. This fact is so well known that I have heard of recent exportations of iron ore to England.

It has been alleged that bar-iron, being a raw material, ought to be admitted free, or with low duties, for the sake of the manufacturers themselves. But I take this to be the true principle: that if our country is producing a raw material of prime necessity, and with reasonable protection can produce it in sufficient quantity to supply our wants, that raw material ought to

be protected, although it may be proper to protect the article also out of which it is manufactured. The tailor will ask protection for himself, but wishes it denied to the grower of wool and the manufacturer of broadcloth. The cotton-planter enjoys protection for the raw material, but does not desire it to be extended to the cotton manufacturer. The ship-builder will ask protection for navigation, but does not wish it extended to the essential articles which enter into the construction of his ship. Each in his proper vocation solicits protection, but would have it denied to all other interests which are supposed to come into collision with his.

Now, the duty of the statesman is to elevate himself above these petty conflicts; calmly to survey all the various interests, and deliberately to proportion the measures of protection to each according to its nature and the general wants of society. It is quite possible that, in the degree of protection which has been afforded to the various workers in iron, there may be some error committed, although I have lately read an argument of much ability, proving that no injustice has really been done to them. If there be, it ought to be remedied.

The next article to which I would call the attention of the Senate, is that of cotton fabrics. The success of our manufacture of coarse cottons is generally admitted. It is demonstrated by the fact that they meet the cotton fabrics of other countries in foreign markets, and maintain a successful competition with them. There has been a gradual increase of the exports of this article, which is sent to Mexico and the South American republics, to the Mediterranean, and even to Asia. * * *

I hold in my hand a statement, derived from the most authentic source, showing that the identical description of cotton cloth, which sold in 1817 at twenty-nine cents per yard, was sold in 1819 at twenty-one cents, in 1821 at nineteen and a half cents, in 1823 at seventeen cents, in 1825 at fourteen and a half cents, in 1827 at thirteen cents, in 1829 at nine cents, in 1830 at nine and a half cents, and in 1831 at from ten and a half to eleven. Such is the wonderful effect of protection, competition, and improvement in skill, combined. The year 1829 was one of some suffering to this branch of industry, probably owing to the principle of competition being pushed too far. Hence we observe a small rise of the article of the next

two years. The introduction of calico-printing into the United States, constitutes an important era in our manufacturing industry. It commenced about the year 1825, and has since made such astonishing advances, that the whole quantity now annually printed is but little short of forty millions of yards—about two thirds of our whole consumption. * * *

In respect to woollens, every gentleman's own observation and experience will enable him to judge of the great reduction of price which has taken place in most of these articles since the tariff of 1824. It would have been still greater, but for the high duty on raw material, imposed for the particular benefit of the farming interest. But, without going into particular details, I shall limit myself to inviting the attention of the Senate to a single article of general and necessary use. The protection given to flannels in 1828 was fully adequate. It has enabled the American manufacturer to obtain complete possession of the American market; and now, let us look at the effect. I have before me a statement from a highly respectable mercantile house, showing the price of four descriptions of flannels during six years. The average price of them, in 1826, was thirty-eight

and three quarter cents; in 1827, thirty-eight; in 1828 (the year of the tariff), forty-six; in 1829, thirty-six; in 1830, (notwithstanding the advance in the price of wool), thirty-two; and in 1831, thirty-two and one quarter. These facts require no comments. I have before me another statement of a practical and respectable man, well versed in the flannel manufacture in America and England, demonstrating that the cost of manufacture is precisely the same in both countries: and that, although a yard of flannel which would sell in England at fifteen cents would command here twenty-two, the difference of seven cents is the exact difference between the cost in the two countries of the six ounces of wool contained in a yard of flannel.

Brown sugar, during ten years, from 1792 to 1802, with a duty of one and a half cents per pound, averaged fourteen cents per pound. The same article, during ten years, from 1820 to 1830, with a duty of three cents, has averaged only eight cents per pound. Nails, with a duty of five cents per pound, are selling at six cents. Window-glass, eight by ten, prior to the tariff of 1824, sold at twelve or thirteen dollars per hundred feet; it now sells for three dollars and seventy-five cents. * * *

This brings me to consider what I apprehend to have been the most efficient of all the causes in the reduction of the prices of manufactured articles, and that is COMPETITION. By competition the total amount of the supply is increased, and by increase of the supply a competition in the sale ensues, and this enables the consumer to buy at lower rates. Of all human powers operating on the affairs of mankind, none is greater than that of competition. It is action and reaction. It operates between individuals of the same nation, and between different nations. It resembles the meeting of the mountain torrent, grooving, by its precipitous motion, its own channel, and ocean's tide. Unopposed, it sweeps every thing before it; but, counterpoised, the waters become calm, safe, and regular. It is like the segments of a circle or an arch: taken separately, each is nothing; but in their combination they produce efficiency, symmetry, and perfection. By the American system this vast power has been excited in America, and brought into being to act in coöperation or collision with European industry. Europe acts within itself, and with America; and America acts within itself, and with Europe. The consequence is the reduc-

tion of prices in both hemispheres. Nor is it fair to argue from the reduction of prices in Europe to her own presumed skill and labor exclusively. We affect her prices, and she affects ours. This must always be the case, at least in reference to any articles as to which there is not a total non-intercourse; and if our industry, by diminishing the demand for her supplies, should produce a diminution in the price of those supplies, it would be very unfair to ascribe that reduction to her ingenuity, instead of placing it to the credit of our own skill and *excited* industry.

Practical men understand very well this state of the case, whether they do or do not comprehend the causes which produce it. I have in my possession a letter from a respectable merchant, well known to me, in which he says, after complaining of the operation of the tariff of 1828, on the articles to which it applies, some of which he had imported, and that his purchases having been made in England before the passage of that tariff was known, it produced such an effect upon the English market that the articles could not be resold without loss, and he adds: "For it *really* appears that, when *additional* duties are laid upon an article, it then

becomes *lower* instead of *higher!*" This would not probably happen where the supply of the foreign article did not exceed the home demand, unless upon the supposition of the increased duty having *excited* or *stimulated* the measure of the home production.

The great law of *price* is determined by supply and demand. What affects either affects the price. If the supply is increased, the demand remaining the same, the price declines; if the demand is increased, the supply remaining the same, the price advances; if both supply and demand are undiminished, the price is stationary, and the price is influenced exactly in proportion to the degree of disturbance to the demand or supply. It is, therefore, a great error to suppose that an existing or new duty *necessarily* becomes a component element to its exact amount of price. If the proportions of demand and supply are varied by the duty, either in augmenting the supply or diminishing the demand, or *vice versa*, the price is affected to the extent of that variation. But the duty never becomes an integral part of the price, except in the instances where the demand and the supply remain after the duty is imposed precisely what they were be-

fore, or the demand is increased, and the supply remains stationary.

Competition, therefore, wherever existing, whether at home or abroad, is the parent cause of cheapness. If a high duty excites production at home, and the quantity of the domestic article exceeds the amount which had been previously imported, the price will fall. * * *

But it is argued that if, by the skill, experience, and perfection which we have acquired in certain branches of manufacture, they can be made as cheap as similar articles abroad, and enter fairly into competition with them, why not repeal the duties as to those articles? And why should we? Assuming the truth of the supposition, the foreign article would not be introduced in the regular course of trade, but would remain excluded by the possession of the home market, which the domestic article had obtained. The repeal, therefore, would have no legitimate effect. But might not the foreign article be imported in vast quantities, to glut our markets, break down our establishments, and ultimately to enable the foreigner to monopolize the supply of our consumption? America is the greatest foreign market for European manufactures. It is that to which European

attention is constantly directed. If a great house becomes bankrupt there, its storehouses are emptied, and the goods are shipped to America, where, in consequence of our auctions, and our custom-house credits, the greatest facilities are afforded in the sale of them. Combinations among manufacturers might take place, or even the operations of foreign governments might be directed to the destruction of our establishments. A repeal, therefore, of one protecting duty, from some one or all of these causes, would be followed by flooding the country with the foreign fabric, surcharging the market, reducing the price, and a complete prostration of our manufactories; after which the foreigner would leisurely look about to indemnify himself in the increased prices which he would be enabled to command by his monopoly of the supply of our consumption. What American citizen, after the government had displayed this vacillating policy, would be again tempted to place the smallest confidence in the public faith, and adventure once more into this branch of industry?

Gentlemen have allowed to the manufacturing portions of the community no peace; they have been constantly threatened with the over-

throw of the American system. From the year 1820, if not from 1816, down to this time, they have been held in a condition of constant alarm and insecurity. Nothing is more prejudicial to the great interests of a nation than an unsettled and varying policy. Although every appeal to the National Legislature has been responded to in conformity with the wishes and sentiments of the great majority of the people, measures of protection have only been carried by such small majorities as to excite hopes on the one hand, and fears on the other. Let the country breathe, let its vast resources be developed, let its energies be fully put forth, let it have tranquillity, and, my word for it, the degree of perfection in the arts which it will exhibit will be greater than that which has been presented, astonishing as our progress has been. Although some branches of our manufactures might, and in foreign markets now do, fearlessly contend with similar foreign fabrics, there are many others yet in their infancy, struggling with the difficulties which encompass them. We should look at the whole system, and recollect that time, when we contemplate the great movements of a nation, is very different from the short period which is allotted for the duration

of individual life. The honorable gentleman from South Carolina well and eloquently said, in 1824: "No great interest of any country ever grew up in a day; no new branch of industry can become firmly and profitably established but in a long course of years; every thing, indeed, great or good, is matured by slow degrees; that which attains a speedy maturity is of small value, and is destined to brief existence. It is the order of Providence, that powers gradually developed, shall alone attain permanency and perfection. Thus must it be with our national institutions, and national character itself."

I feel most sensibly, Mr. President, how much I have trespassed upon the Senate. My apology is a deep and deliberate conviction, that the great cause under debate involves the prosperity and the destiny of the Union. But the best requital I can make, for the friendly indulgence which has been extended to me by the Senate, and for which I shall ever retain sentiments of lasting gratitude, is to proceed with as little delay as practicable, to the conclusion of a discourse which has not been more tedious to the Senate than exhausting to me. I have now to consider the remaining of the

two propositions which I have already announced. That is—

Second, that under the operation of the American system, the products of our agriculture command a higher price than they would do without it, by the creation of a home market, and by the augmentation of wealth produced by manufacturing industry, which enlarges our powers of consumption both of domestic and foreign articles. The importance of the home market is among the established maxims which are universally recognized by all writers and all men. However some may differ as to the relative advantages of the foreign and the home market, none deny to the latter great value and high consideration. It is nearer to us; beyond the control of foreign legislation; and undisturbed by those vicissitudes to which all international intercourse is more or less exposed. The most stupid are sensible of the benefit of a residence in the vicinity of a large manufactory, or of a market-town, of a good road, or of a navigable stream, which connects their farms with some great capital. If the pursuits of all men were perfectly the same, although they would be in possession of the greatest abundance of the particular products of their industry, they

might, at the same time, be in extreme want of other necessary articles of human subsistence. The uniformity of the general occupation would preclude all exchange, all commerce. It is only in the diversity of the vocations of the members of a community that the means can be found for those salutary exchanges which conduce to the general prosperity. And the greater that diversity, the more extensive and the more animating is the circle of exchange. Even if foreign markets were freely and widely open to the reception of our agricultural produce, from its bulky nature, and the distance of the interior, and the dangers of the ocean, large portions of it could never profitably reach the foreign market. But let us quit this field of theory, clear as it is, and look at the practical operation of the system of protection, beginning with the most valuable staple of our agriculture.

In considering this staple, the first circumstance that excites our surprise is the rapidity with which the amount of it has annually increased. Does not this fact, however, demonstrate that the cultivation of it could not have been so very unprofitable? If the business were ruinous, would more and more have annually engaged in it? The quantity in

1816 was eighty-one millions of pounds; in 1826, two hundred and four millions; and in 1830, near three hundred millions! The ground of greatest surprise is that it has been able to sustain even its present price with such an enormous augmentation of quantity. It could not have been done but for the combined operation of three causes, by which the consumption of cotton fabrics has been greatly extended in consequence of their reduced prices: first, competition; second, the improvement of labor-saving machinery; and thirdly, the low price of the raw material. The crop of 1819, amounting to eighty-eight millions of pounds, produced twenty-one millions of dollars; the crop of 1823, when the amount was swelled to one hundred and seventy-four millions (almost double of that of 1819), produced a less sum by more than half a million of dollars; and the crop of 1824, amounting to thirty millions of pounds less than that of the preceding year, produced a million and a half of dollars more.

If there be any foundation for the established law of price, supply, and demand, ought not the fact of this great increase of the supply to account satisfactorily for the alleged low price of cotton? * * *

Let us suppose that the home demand for cotton, which has been created by the American system, should cease, and that the two hundred thousand bales which the home market now absorbs were now thrown into the glutted markets of foreign countries; would not the effect inevitably be to produce a further and great reduction in the price of the article? If there be any truth in the facts and principles which I have before stated and endeavored to illustrate, it cannot be doubted that the existence of American manufactures has tended to increase the demand and extend the consumption of the raw material; and that, but for this increased demand, the price of the article would have fallen possibly one half lower than it now is. The error of the opposite argument is in assuming one thing, which being denied, the whole fails—that is, it assumes that the *whole* labor of the United States would be profitably employed without manufactures. Now, the truth is that the system excites and creates labor, and this labor creates wealth, and this new wealth communicates additional ability to consume, which acts on all the objects contributing to human comfort and enjoyment. The amount of cotton imported into the two ports of Boston and

Providence alone during the last year (and it was imported exclusively for the home manuture) was 109,517 bales.

On passing from that article to others of our agricultural productions, we shall find not less gratifying facts. The total quantity of flour imported into Boston, during the same year, was 284,504 barrels, and 3,955 half barrels; of which, there were from Virginia, Georgetown, and Alexandria, 114,222 barrels; of Indian corn, 681,131 bushels; of oats, 239,809 bushels; of rye, about 50,000 bushels; and of shorts, 63,489 bushels; into the port of Providence, 71,369 barrels of flour; 216,662 bushels of Indian corn, and 7,772 bushels of rye. And there were discharged at the port of Philadelphia, 420,353 bushels of Indian corn, 201,878 bushels of wheat, and 110,557 bushels of rye and barley. There were slaughtered in Boston during the same year, 1831, (the only Northern city from which I have obtained returns,) 33,922 beef cattle; 15,400 calves; 84,453 sheep, and 26,871 swine. It is confidently believed that there is not a less quantity of Southern flour consumed at the North than eight hundred thousand barrels, a greater amount, probably, than is shipped to all the foreign markets of the world together.

What would be the condition of the farming country of the United States—of all that portion which lies north, east, and west of James River, including a large part of North Carolina —if a home market did not exist for this immense amount of agricultural produce. Without that market, where could it be sold? In foreign markets? If their restrictive laws did not exist, their capacity would not enable them to purchase and consume this vast addition to their present supplies, which must be thrown in, or thrown away, but for the home market. But their laws exclude us from their markets. I shall content myself by calling the attention of the Senate to Great Britain only. The duties in the ports of the united kingdom on bread-stuffs are prohibitory, except in times of dearth. On rice, the duty is fifteen shillings sterling per hundred weight, being more than one hundred per centum. On manufactured tobacco it is nine shillings sterling per pound, or about two thousand per centum. On leaf tobacco three shillings per pound, or one thousand two hundred per centum. On lumber, and some other articles, they are from four hundred to fifteen hundred per centum more than on similar articles imported from British colonies. In the

British West Indies the duty on beef, pork, hams, and bacon, is twelve shillings sterling per hundred, more than one hundred per centum on the first cost of beef and pork in the Western States. And yet Great Britain is the power in whose behalf we are called upon to legislate, so that *we* may enable *her* to purchase our cotton. Great Britain, that thinks only of herself in her own legislation! When have we experienced justice, much less favor, at her hands? When did she shape her legislation with reference to the interests of any foreign power? She is a great, opulent, and powerful nation; but haughty, arrogant, and supercilious; not more separated from the rest of the world by the sea that girts her island, than she is separated in feeling, sympathy, or friendly consideration of their welfare. Gentlemen, in supposing it impracticable that we should successfully compete with her in manufactures, do injustice to the skill and enterprise of their own country. Gallant as Great Britain undoubtedly is, we have gloriously contended with her, man to man, gun to gun, ship to ship, fleet to fleet, and army to army. And I have no doubt we are destined to achieve equal success in the more useful, if not nobler, contest for superiority in the arts of civil life.

I could extend and dwell on the long list of articles—the hemp, iron, lead, coal, and other items—for which a demand is created in the home market by the operation of the American system; but I should exhaust the patience of the Senate. *Where, where* should we find a market for all these articles, if it did not exist at home? What would be the condition of the largest portion of our people, and of the territory, if this home market were annihilated? How could they be supplied with objects of prime necessity? What would not be the certain and inevitable decline in the price of all these articles, but for the home market? And allow me, Mr. President, to say, that of all the agricultural parts of the United States which are benefited by the operation of this system, none are equally so with those which border the Chesapeake Bay, the lower parts of North Carolina, Virginia, and the two shores of Maryland. Their facilities of transportation, and proximity to the North, give them decided advantages.

But if all this reasoning were totally fallacious; if the price of manufactured articles were really higher, under the American system, than without it, I should still argue that high or

low prices were themselves relative—relative to the ability to pay them. It is in vain to tempt, to tantalize us with the lower prices of European fabrics than our own, if we have nothing wherewith to purchase them. If, by the home exchanges, we can be supplied with necessary, even if they are dearer and worse, articles of American production than the foreign, it is better than not to be supplied at all. And how would the large portion of our country, which I have described, be supplied, but for the home exchanges? A poor people, destitute of wealth or of exchangeable commodities, have nothing to purchase foreign fabrics with. To them they are equally beyond their reach, whether their cost be a dollar or a guinea. It is in this view of the matter that Great Britain, by her vast wealth, her *excited* and *protected* industry, is enabled to bear a burden of taxation, which, when compared to that of other nations, appears enormous; but which, when her immense riches are compared to theirs, is light and trivial. The gentleman from South Carolina has drawn a lively and flattering picture of our coasts, bays, rivers, and harbors; and he argues that these proclaimed the design of Providence that we should be a commercial

people. I agree with him. We differ only as to the means. He would cherish the foreign, and neglect the internal, trade. I would foster both. What is navigation without ships, or ships witnout cargoes? By penetrating the bosoms of our mountains, and extracting from them their precious treasures; by cultivating the earth, and *securing* a home market for its rich and abundant products; by employing the water power with which we are blessed; by stimulating and protecting our native industry, in all its forms; we shall but nourish and promote the prosperity of commerce, foreign and domestic.

I have hitherto considered the question in reference only to a state of peace; but who can tell when the storm of war shall again break forth? Have we forgotten so soon the privations to which not merely our brave soldiers and our gallant tars were subjected, but the whole community, during the last war, for the want of absolute necessaries? To what an enormous price they rose! And how inadequate the supply was, at any price! The statesman who justly elevates his views will look behind as well as forward, and at the existing state of things; and he will graduate the policy

which he recommends to all the probable exigencies which may arise in the republic. Taking this comprehensive range, it would be easy to show that the higher prices of peace, if prices were higher in peace, were more than compensated by the lower prices of war, during which supplies of all essential articles are indispensable to its vigorous, effectual, and glorious prosecution. I conclude this part of the argument with the hope that my humble exertions have not been altogether unsuccessful in showing:

First, that the policy which we have been considering ought to continue to be regarded as the genuine American system.

Secondly, that the free-trade system, which is proposed as its substitute, ought really to be considered as the British colonial system.

Thirdly, that the American system is beneficial to all parts of the Union, and absolutely necessary to much the larger portion.

Fourthly, that the price of the great staple of cotton, and of all our chief productions of agriculture, has been sustained and upheld, and a decline averted, by the protective system.

Fifthly, that if the foreign demand for cotton has been at all diminished, the diminution has

been more than compensated in the additional demand created at home.

Sixthly, that the constant tendency of the system, by creating competition among ourselves, and between American and European industry, reciprocally acting upon each other, is to reduce prices of manufactured objects.

Seventhly, that, in point of fact, objects within the scope of the policy of protection have greatly fallen in price.

Eighthly, that if, in a season of peace, these benefits are experienced, in a season of war, when the foreign supply might be cut off, they would be much more extensively felt.

Ninthly, and finally, that the substitution of the British colonial system for the American system, without benefiting any section of the Union, by subjecting us to a foreign legislation, regulated by foreign interests, would lead to the prostration of our manufactories, general impoverishment, and ultimate ruin. * * * The danger of our Union does not lie on the side of persistence in the American system, but on that of its abandonment. If, as I have supposed and believe, the inhabitants of all north and east of James River, and all west of the mountains, including Louisiana, are deeply

interested in the preservation of that system, would they be reconciled to its overthrow? Can it be expected that two thirds, if not three fourths, of the people of the United States would consent to the destruction of a policy, believed to be indispensably necessary to their prosperity? When, too, the sacrifice is made at the instance of a single interest, which they verily believe will not be promoted by it? In estimating the degree of peril which may be incident to two opposite courses of human policy, the statesman would be short-sighted who should content himself with viewing only the evils, real or imaginary, which belong to that course which is in practical operation. He should lift himself up to the contemplation of those greater and more certain dangers which might inevitably attend the adoption of the alternative course. What would be the condition of this Union, if Pennsylvania and New York, those mammoth members of our Confederacy, were firmly persuaded that their industry was paralyzed, and their prosperity blighted, by the enforcement of the British colonial system, under the delusive name of free trade? They are now tranquil and happy and contented, conscious of their welfare, and

feeling a salutary and rapid circulation of the products of home manufactures and home industry, throughout all their great arteries. But let that be checked, let them feel that a foreign system is to predominate, and the sources of their subsistence and comfort dried up; let New England and the West, and the Middle States, all feel that they too are the victims of a mistaken policy, and let these vast portions of our country despair of any favorable change, and then indeed might we tremble for the continuance and safety of this Union!

And need I remind you, sir, that this dereliction of the duty of protecting our domestic industry, and abandonment of it to the fate of foreign legislation, would be directly at war with leading considerations which prompted the adoption of the present Constitution? The States respectively surrendered to the general government the whole power of laying imposts on foreign goods. They stripped themselves of all power to protect their own manufactures by the most efficacious means of encouragement—the imposition of duties on rival foreign fabrics. Did they create that great trust, did they voluntarily subject themselves to this self-restriction, that the power should remain

in the Federal government inactive, unexecuted, and lifeless? Mr. Madison, at the commencement of the government, told you otherwise. In discussing at that early period this very subject, he declared that a failure to exercise this power would be a "*fraud*" upon the Northern States, to which may now be added the Middle and Western States.

[Governor Miller asked to what expression of Mr. Madison's opinion Mr. Clay referred; and Mr. Clay replied, his opinion, expressed in the House of Representatives in 1789, as reported in Lloyd's Congressional Debates.]

Gentlemen are greatly deceived as to the hold which this system has in the affections of the people of the United States. They represent that it is the policy of New England, and that she is most benefited by it. If there be any part of this Union which has been most steady, most unanimous, and most determined in its support, it is Pennsylvania. Why is not that powerful State attacked? Why pass her over, and aim the blow at New England? New England came reluctantly into the policy. In 1824, a majority of her delegation was opposed to it. From the largest State of New England there was but a solitary vote in favor of the

bill. That interesting people can readily accommodate their industry to any policy, provided it be *settled*. They supposed this was fixed, and they submitted to the decrees of government. And the progress of public opinion has kept pace with the developments of the benefits of the system. Now, all New England, at least in this House (with the exception of one small still voice), is in favor of the system. In 1824, all Maryland was against it; now the majority is for it. Then, Louisiana, with one exception, was opposed to it; now, without any exception, she is in favor of it. The march of public sentiment is to the South. Virginia will be the next convert; and in less than seven years, if there be no obstacles from political causes, or prejudices industriously instilled, the majority of Eastern Virginia will be, as the majority of Western Virginia now is, in favor of the American system. North Carolina will follow later, but not less certainly. Eastern Tennessee is now in favor of the system. And, finally, its doctrines will pervade the whole Union, and the wonder will be, that they ever should have been opposed.

FRANK H. HURD,

OF OHIO.

(BORN 1841.)

A TARIFF FOR REVENUE ONLY; HOUSE OF REPRESENTATIVES, FEBRUARY 18, 1881.

MR. CHAIRMAN:

At the very threshold it is proper to define the terms I shall use and state the exact propositions I purpose to maintain. A tariff is a tax upon imported goods. Like other taxes which are levied, it should be imposed only to raise revenue for the government. It is true that incidental protection to some industries will occur when the duty is placed upon articles which may enter into competition with those of domestic manufacture. I do not propose to discuss now how this incidental protection shall be distributed. This will be a subsequent consideration when the preliminary question has been settled as to what shall be the nature of the tariff itself. The present tariff imposes duties

upon nearly four thousand articles, and was levied and is defended upon the ground that American industries should be protected. Thus protection has been made the object; revenue the incident. Indeed, in many cases the duty is so high that no revenue whatever is raised for the government, and in nearly all so high that much less revenue is collected than might be realized. So true is this that, if the present tariff were changed so as to make it thereby a revenue tariff, one fifth at least could be added to the receipts of the Treasury from imports. Whenever I use the phrase free trade or free trader, I mean either a tariff for revenue only or one who advocates it.

So far as a tariff for revenue is concerned, I do not oppose it, even though it may contain some objectionable incidental protection. The necessities of the government require large revenues, and it is not proposed to interfere with a tariff so long as it is levied to produce them; but, to a tariff levied for protection in itself and for its own sake, I do object. I therefore oppose the present tariff, and the whole doctrine by which it is attempted to be justified. I make war against all its protective features, and insist that the laws which contain them shall be amended,

so that out of the importations upon which the duty is levied the greatest possible revenue for the government may be obtained.

What, then, is the theory of protection? It is based upon the idea that foreign produce imported into this country will enter into competition with domestic products and undersell them in the home market, thus crippling if not destroying domestic production. To prevent this, the price of the foreign goods in the home market is increased so as to keep them out of the country altogether, or to place the foreigner, in the cost of production, upon the same footing as the American producer. This is proposed to be done by levying a duty upon the foreign importation. If it be so high that the importer cannot pay it and sell the goods at a profit, the facilities of production between this and other countries are said to be equalized, and the American producer is said to be protected. It will be seen, therefore, that protection means the increase of price. Without it the fabric has no foundation on which to rest. If the foreign goods are still imported, the importer adds the duty paid to the selling price. If he cannot import with profit, the American producer raises his price to a point

always below that at which the foreign goods could be profitably brought into the country, and controls the market. In either event, there is an increase of price of the products sought to be protected. The bald proposition therefore is that American industries can and ought to be protected by increasing the prices of the products of such industries.

There are three popular opinions, industriously cultivated and strengthened by adroit advocates, upon which the whole system rests, and to which appeals are ever confidently made. These opinions are erroneous, and lead to false conclusions, and should be first considered in every discussion of this question.

The first is, that the balance of trade is in our favor when our exportations exceed our importations. Upon this theory it is argued that it cannot be unwise to put restrictions upon importations, for they say that at one and the same time you give protection to our industries and keep the balance of trade in our favor. But the slightest investigation will show that this proposition cannot be maintained. A single illustration, often repeated, but never old in this discussion, will demonstrate it. Let a ship set sail from Portland, Maine, with a cargo of staves

registered at the port of departure as worth $5,000. They are carried to the West India Islands, where staves are in demand, and exchanged for sugar or molasses. The ship returns, and after duty paid the owner sells his sugar and molasses at a profit of $5,000. Here more has been imported than exported. Upon this transaction the protectionist would say that the balance of trade was against us $5,000; the free trader says that the sum represents the profit to the shipper upon his traffic, and the true balance in our favor.

Suppose that after it has set sail the vessel with its cargo had been lost. In such case five thousand dollars' worth of goods would have been exported, with no importation against it. The exportation has exceeded the importation that sum. Is not the balance of trade, according to the protection theory, to that amount in our favor? Then let the protectionist turn pirate and scuttle and sink all the vessels laden with our exports, and soon the balance of trade in our favor will be large enough to satisfy even most advocates of the American protective system. The true theory is that in commerce the overplus of the importation above the exportation represents the profit accruing to the coun-

try. This overplus, deducting the expenses, is real wealth added to the land. Push the two theories to their last position and the true one will be clearly seen. Export every thing, import nothing, though the balance of trade may be said to be overwhelmingly in our favor, there is poverty, scarcity, death. Import every thing, export nothing, we then will have in addition to our own all the wealth of the world in our possession.

Secondly, it is said that a nation should be independent of foreign nations, lest in time of war it might find itself helpless or defenceless. Free trade, it is charged, makes a people dependent upon foreigners. But traffic is exchange. Foreign products do not come into a country unless domestic products go out. This dependence, therefore, is mutual. By trade with foreign nations they are as dependent upon us as we upon them, and in the event of a disturbance of peace the nation with which we would be at war would lose just as much as we would lose, and both as to the war would in that regard stand upon terms of equality. It must not be forgotten that the obstruction of trade between nations is one of the greatest occasions of war. It frequently

gives rise to misunderstandings which result in serious conflicts. By removing these obstacles and making trade as free as possible, nations are brought closer together, the interests of their people become intermingled, business associations are formed between them, which go far to keep down national dispute, and prevent the wars in which the dependent nation is said to be so helpless. Japan and China have for centuries practised the protective theory of independence of foreigners, and yet, in a war with other nations, they would be the most helpless people in the world. That nation is the most independent which knows most of, and trades most with, the world, and by such knowledge and trade is able to avail itself of the products of the skill, intellect, and genius of all the nations of the earth.

A third erroneous impression sought to be made upon the public mind is that whatever increases the amount of labor in a country is a benefit to it. Protection, it is argued, will increase the amount of labor, and therefore will increase a country's prosperity. The error in this proposition lies in mistaking the true nature of labor. It regards it as the end, not as the means to an end. Men do not labor merely

for the sake of labor, but that out of its products they may derive support and comfort for themselves and those dependent upon them. The result, therefore, does not depend upon the amount of labor done, but upon the value of the product. That country, therefore, is the most prosperous which enables the laborer to obtain the greatest possible value for the product of his toil, not that which imposes the greatest labor upon him. If this were not the case men were better off before the appliances of steam as motive power were discovered, or railroads were built, or the telegraph was invented. The man who invents a labor-saving machine is a public enemy; and he would be a public benefactor who would restore the good old times when the farmer never had a leisure day, and the sun never set on the toil of the mechanic. No, Mr. Chairman, it is the desire of every laborer to get the maximum of result from the minimum of effort. That system, therefore, can be of no advantage to him which, while it gives him employment, robs him of its fruits. This, it will be seen, protection does, while free trade, giving him unrestricted control of the product of his labor, enables him to get the fullest value for it in markets of his own selection.

The protectionist, relying upon the propositions I have thus hurriedly discussed, urges many specious reasons for his system, to a few of which only do I intend to call attention today.

In the first place, it is urged that protection will develop the resources of a country, which without it would remain undeveloped. Of course this, to be of advantage to a country, must be a general aggregate increase of development, for if it be an increase of some resources as a result of diminution in others, the people as a whole can be no better off after protection than before. But the general resources cannot be increased by a tariff. There can only be such an increase by an addition to the disposable capital of the country to be applied to the development of resources. But legislation cannot make this. If it could it would only be necessary to enact laws indefinitely to increase capital indefinitely. But, if any legislation could accomplish this, it would not be protective legislation. As already shown, the theory of protection is to make prices higher, in order to make business profitable. This necessarily increases the expense of production, which keeps foreign capital away, because it can be em-

ployed in the protected industries more profitably elsewhere. The domestic capital, therefore, must be relied upon for the proposed development. As legislation cannot increase that capital, if it be tempted by the higher prices to the business protected, it must be taken from some other business or investment. If there are more workers in factories there will be fewer artisans. If there are more workers in shops there will be fewer farmers. If there are more in the towns there will be fewer in the country. The only effect of protection, therefore, in this point of view, can be to take capital from some employment to put it into another, that the aggregate disposable capital cannot be increased, nor the aggregate development of the resources of a country be greater with a tariff than without.

But, secondly, it is said that protection increases the number of industries, thereby diversifying labor and making a variety in the occupations of a people who otherwise might be confined to a single branch of employment. This argument proceeds upon the assumption that there would be no diversification of labor without protection. In other words, it is assumed that but for protection our people would devote themselves to agriculture. This, how-

ever, is not true. Even if a community were purely agricultural, the necessities of the situation would make diversification of industry. There must be blacksmiths, and shoemakers, and millers, and merchants, and carpenters, and other artisans. To each one of these employments, as population increases, more and more will devote themselves, and with each year new demands will spring up, which will create new industries to supply them. I was born in the midst of a splendid farming country. The business of nine tenths of the people of my native county was farming. My intelligent boyhood was spent there from 1850 to 1860, when there was no tariff for protection. There were thriving towns for the general trading. There were woollen mills and operatives. There were flouring mills and millers. There were iron founders and their employés. There were artisans of every description. There were grocers and merchants, with every variety of goods and wares for sale; there were banks and bankers; there was all the diversification of industry that a thriving, industrious, and intelligent community required; not established by protection nor by government aid, but growing naturally out of the wants and necessities of

the people. Such a diversification is always healthful, because it is natural, and will continue so long as the people are industrious and thrifty. The diversification which protection makes is forced and artificial. Suppose protection had come to my native county to further diversify industries. It would have begun by giving higher prices to some industry already established, or profits greater than the average rate to some new industry which it would have started. This would have disturbed the natural order. It would necessarily have embarrassed some interests to help the protected ones. The loss in the most favorable view would have been equal to the gain, and besides trade would inevitably have been annoyed by the obstruction of its natural channels.

The worst feature of this kind of diversified industry is that the protected ones never willingly give up the government aid. They scare at competition as a child at a ghost. As soon as the markets seem against them, they rush to Congress for further help. They are never content with the protection they have; they are always eager for more. In this dependence upon the government bounty the persons protected learn to distrust themselves; and pro-

tection therefore inevitably destroys that manly, sturdy spirit of individuality and independence which should characterize the successful American business man.

Thirdly, it is said that protection gives increased employment to labor and enhances the wages of workingmen. For a long time no position was more strenuously insisted upon by the advocates of the protective system than that the wages of labor would be increased under it. At this point in the discussion I shall only undertake to show that it is impossible that protection should produce this result. What determines the amount of wages paid? Some maintain that it is the amount of the wage fund existing at the time that the labor is done. Under this theory it is claimed that, at any given time, there is a certain amount of capital to be applied to the payment of wages, as certain and fixed as though its amount had been determined in advance. Others maintain that the amount of wages is fixed by what the laborer makes, or, in other words, by the product of his work, and that, therefore, his wage is determined by the efficiency of his labor alone. Both these views are partly true. The wages of the laborer are undoubtedly de-

termined by the efficiency of his work, but the aggregate amount paid for labor cannot exceed the amount properly chargeable to the wage fund without in a little time diminishing the profits of production and ultimately the quantity of labor employed.

But, whichever theory be true, it is clear that protection can add nothing to the amount of wages. It cannot increase the amount of capital applicable to the payment of wages, unless it can be shown that the aggregate capital of a country can be increased by legislation; nor can it add to the efficiency of labor, for that depends upon individual effort exclusively. A man who makes little in a day now may in a year make much more in the same time; his labor has become more efficient. Whether this shall be done depends on the taste, temperament, application, aptitude, and skill of the individual. No one will pretend that protection can increase the aggregate of these qualities in the labor of the country. The result is that it is impossible for protection, either by adding to the wage fund or by increasing the efficiency of labor, to enhance the wages of laboring men, a theory which I shall shortly show is incontrovertibly established by the facts.

I will now, Mr. Chairman, briefly present a few of the principal objections to a tariff for protection. As has been shown, the basis of protection is an increase in the price of the protected products. Who pays this increased price? I shall not stop now to consider the argument often urged that it is paid by the foreign producer, because it can be easily shown to the contrary by every one's experience. I shall for this argument assume it as demonstrated that the increase of price which protection makes is paid by the consumer. This suggests the first great objection to protection, that it compels the consumer to pay more for goods than they are really worth, ostensibly to help the business of a producer. Now consumers constitute the vast majority of the people. The producers of protected articles are few in comparison with them. It is true that most men are both producers and consumers. But, for the great majority, there is little or no protection for what they produce, but large protection for what they consume. The tariff is principally levied upon woollen goods, lumber, furniture, stoves and other manufactured articles of iron, and upon sugar and salt. The necessities of life are weighted with the burden. It is

out of the necessities of the people, therefore, that the money is realized to support the protective system. I say, Mr. Chairman, that it is beyond the sphere of true governmental power to tax one man to help the business of another. It is, by power, taking money from one to give it to another. This is robbery, nothing more nor less. When a man earns a dollar it is his own; and no power of reasoning can justify the legislative power in taking it from him except for the uses of the government.

Yet, Mr. Chairman, the present tariff takes hundreds of millions of dollars every year from the farmer, the laborer, and other consumers, under the claim of enriching the manufacturer. It may not be much for each one to contribute, yet in the aggregate it is an enormous sum. For many, too, it is very much. The statistics will show that every head of a family who receives four hundred dollars a year in wages pays at least one hundred dollars on account of protection. Put such a tax on all incomes and the country would be in a ferment of excitement until it was removed. But it is upon the poor and lowly that the tax is placed, and their voices are not often heard in shaping the policies of tariff legislation. I repeat, the product

of one's labor is his own. It is his highest right, subject only to the necessities of the government, to do with it as he pleases. Protection invades, destroys that right. It ought to be destroyed, until every American freeman can spend his money where it will be of the most service to him.

To illustrate the cost of protection to the consumer, consider its operation in increasing the price of two or three of the leading articles protected. Take paper for example. The duty on that commodity is twenty per cent. ad valorem. Most of the articles which enter into its manufacture or are required in the process of making it are increased in price by protection. The result is that the price of paper to the consumer is increased nearly fifteen per cent.; that is, if the tariff were taken off paper and the articles used in its manufacture, paper would be fifteen per cent. cheaper to the buyer. The paper-mills for five years have produced nearly one hundred millions of dollars' worth of paper a year. The consumers have been compelled to pay fifteen millions a year to the manufacturer more than the paper could have been bought for without the tariff. In five years this has amounted to $75,000,000, an im-

mense sum paid to protection. It is a tax upon books and newspapers; it is a tax upon intelligence; it is a premium upon ignorance. So heavy had the burden of this tax become that every newspaper man in the district I have the honor to represent has appealed to Congress to take the duty off. The government has derived little revenue from the paper duty. It has gone almost entirely to the manufacturer, who himself has not been benefited as anticipated, as will presently be seen. These burdens have been imposed to protect the paper manufacturer against the foreigner, in face of the confident prediction made by one of the most experienced paper men in the country, that if all protection were taken off paper and the material used in its manufacture, the manufacturer would be able to successfully compete with the foreigner in nearly every desirable market in the world.

Take blankets also for example. The tariff on coarse blankets is nearly one hundred per cent. ad valorem. They can be bought in most of the markets of the world for two dollars a pair. Yet our poor, who use the most of that grade of blankets, are compelled to pay about four dollars a pair. The government derives little revenue from it, as the importation of

these blankets for years has been trifling. This tax has been a heavy burden upon the poor during this severe winter, a tax running into the millions to support protection. Heaven save a country from a system which begrudges to the shivering poor the blankets to make them comfortable in the winter and the cold!

Secondly, protection has diminished the income of the laborer from his wages. The first factor in the ascertainment of the value of wages is their purchasing power, or how much can be bought with them. If in one country the wages are five dollars a day and in another only one dollar, if the laborer can in the one country with the one dollar, purchase more of the necessary articles required in daily consumption, he, in fact, is better paid than the former in the other who gets five dollars a day. Admit for a moment that protection raises the wages of the laborer, it also raises the price of nearly all the necessaries of life, and what he makes in wages he more than loses in the increase of prices of what he is obliged to buy. As already stated, a head of a family who earns $400 per year is compelled to pay $100 more for what he needs, on account of protection. What difference is it to him whether the $100 are taken

out of his wages before they are paid, or taken from him afterward in the increased price of articles he cannot get along without? In both cases he really receives only $300 for his year's labor. The statistics show that the average increased cost of twelve articles most required in daily consumption in 1874 over 1860 was ninety-two per cent., while the average increase of wages of eight artisans, cabinet-makers, coopers, carpenters, painters, shoemakers, tailors, tanners, and tinsmiths, was only sixty per cent., demonstrating that the purchasing power of labor had under protection in thirteen years depreciated 19.5 per cent. But protection has not even raised the nominal wages in most of the unprotected industries. I find that the wages of the farm hand, the day laborer, and the ordinary artisan are in most places now no higher than they were in 1860.

But it is confidently asserted that the wages of laborers in the protected industries are higher because of protection. Admit it. I have not the figures for 1880, but in 1870 there were not 500,000 of them; but of the laborers in other industries there were 12,000,000, exclusive of those in agriculture, who were 6,000,000 more. Why should the wages of the half million be

increased beyond their natural rate, while those of the others remain unchanged? More—why should the wages of the 18,000,000 be diminished that those of the half million may be increased? For an increase cannot be made in the wage rate of one class without a proportionate decrease in that of others. But the wages of labor in protected industries are not permanently increased by protection. Another very important factor in ascertaining the value of wages is the continuance or the steadiness of the employment. Two dollars a day for half the year is no more than a dollar a day for the whole year. Employment in most protected industries is spasmodic. In the leading industries for the past ten years employment has not averaged more than three fourths of the time, and not at very high wages. Within the last year manufacturers of silk, carpets, nails and many other articles of iron, of various kinds of glassware and furniture, and coal producers have shut down their works for a part of the time, or reduced the hours of labor. Production has been too great. To stop this and prevent the reduction of profits through increasing competition, the first thing done is to diminish the production, thus turning employés out of

employment. Wages are diminished or stopped until times are flush again. With the time estimated in which the laborers are not at work, the average rate of wages for the ten years preceding 1880 did not equal the wages in similar industries for the ten years preceding 1860 under a revenue tariff. Indeed, in many branches the wages have not been so high as those received by the pauper labor, so-called, in Europe. But it is manifest that the wages in these industries cannot for any long period be higher than the average rate in the community, for, if the wages be higher, labor will crowd into the employments thus favored until the rate is brought down to the general level. So true is this, that it is admitted by many protectionists that wages are not higher in the protected industries than in others. * * *

Thirdly, the effect of protection is disastrous to most of the protected industries themselves. We have seen that many of them have in recent years been compelled to diminish production. The cause of this is manifest. Production confines them to the American market. The high prices they are compelled to pay for protected materials which enter into the manufacture of their products disable them from

going into the foreign market. The profits which they make under the first impulse of protection invite others into the same business. As a result, therefore, more goods are made than the American market can consume. Prices go down to some extent through the competition, but rarely under the cost of production, increased, as we have seen, by the enhanced price of material required. The losses threatened by such competition are sought to be averted by the diminution of production. Combinations of those interested are formed to stop work or reduce it until the stock on hand has been consumed. Production then begins again and continues until the same necessity calls again for the same remedy. But this remedy is arbitrary, capricious, and unsatisfactory. Some will not enter into the combination at all. Others will secretly violate the agreement from the beginning. Others still, when their surplus stock has been sold, and before the general price has risen, will begin to manufacture again. There is no power to enforce any bargain they have made, and they find the plan only imperfectly curing the difficulty. They remain uncertain what to do, embarrassed and doubtful as to the future. They have through protec-

tion violated the natural laws of supply and demand, and human regulations are powerless to relieve them from the penalty.

Take, as an illustration of the operation of the system, the article of paper. One of the first effects of the general tariff was to increase the price of nearly every thing the manufacturer required to make the paper. Fifteen millions of dollars a year through the protection are taken from the consumer. The manufacturer himself is able to retain but a small part of it, as he is obliged to pay to some other protected industry for its products, they in turn to some others who furnished them with protected articles for their use, and so on to the end. The result is that nominal prices are raised all around ; the consumers pay the fifteen millions, while nobody receives any substantial benefit, because what one makes in the increased price of his product he loses in the increased price he is obliged to pay for the required products of others. The consumer is the loser, and though competition may occasionally reduce prices for him to a reasonable rate, it never to any appreciable extent compensates him for the losses he sustains through the enhanced price which the protective system inevitably causes.

It is not to be disputed that many of the protected manufacturers have grown rich. In very many cases I think it can be demonstrated that their wealth has resulted from some patent which has given them a monopoly in particular branches of manufacturing, or from some other advantage which they have employed exclusively in their business. In such cases they would have prospered without protection as with it. I think there are few, except in the very inception of a manufacturing enterprise, or in abnormal cases growing out of war or destruction of property, or the combinations of large amounts of capital, where protection alone has enriched men. The result is the robbery of the consumer with no ultimate good to most of the protective industries.

At a meeting of the textile manufacturers in Philadelphia the other day, one of the leading men in that interest said: "The fact is that the textile manufacturers of Philadelphia, the centre of the American trade, are fast approaching a crisis, and realize that something must be done, and that soon. Cotton and woollen mills are fast springing up over the South and West, and the prospects are that we will soon lose much of our trade in the coarse fabrics by rea-

son of cheap competition. The only thing we can do, therefore, is to turn our attention to the higher plane, and endeavor to make goods equal to those imported. We cannot do this now, because we have not a sufficient supply either of the culture which begets designs, or of the skill which manipulates the fibres."

What a commentary this upon protection, which has brought to such a crisis one of the chief industries protected, and which is here confessed to have failed, after twenty years, to enable it to compete even in our own markets with foreign goods of the finer quality! What is true of textile manufacturing is also true of many other industries. What remedy, then, will afford the American manufacturer relief? Not the one here suggested of increasing the manufacture of goods of finer quality, for, aside from the impracticability of the plan, this will only aggravate the difficulty by adding to the aggregate stock in the home market. * * * The American demand cannot consume what they produce. They must therefore enlarge their market or stop production. To adopt the latter course is to invite ruin. The market cannot be increased in this country. It must be found in other countries. Foreign markets

must be sought. But these cannot be opened as long as we close our markets to their products, with which alone, in most instances, they can buy; in other words, as long as we continue the protective system.

I say, therefore, to the American manufacturer, sooner or later you must choose between the alternatives of ruin or the abandonment of protection. Why hesitate in the decision? Are not Canada and South America and Mexico your natural markets? England now supplies them with almost all the foreign goods they buy. Why should not you? Your coal and iron lie together in the mountain side, and can almost be dropped without carriage into your furnaces; while in England the miners must go thousands of feet under the earth for those products. * * * The situation is yours. Break down your protective barrier. All the world will soon do the same. Their walls will disappear when ours fall. Open every market of the world to your products; give steady employment to your laborers. In a little while you will have the reward which nature always gives to those who obey her laws, and will escape the ruin which many of your most intelligent operators see impending over your industries.

I have not time to-day to more than refer to the ruinous effect of protection upon our carrying trade. In 1856, seventy-five per cent. of the total value of our imports and exports was carried in American vessels; while in 1879 but seventeen per cent. was carried in such vessels, and in 1880 the proportion was still less. In 1855, 381 ships and barks were built in the United States, while in 1879 there were only 37. It is a question of very few years at this rate until American vessels and the American flag will disappear from the high seas. Protection has more than all else to do with the prostration of this trade. It accomplishes this result (1) by enhancing the price of the materials which enter into the construction of vessels, so that our ship-builders cannot compete with foreigners engaged in the same business; (2) by increasing the cost of domestic production so that American manufactured goods cannot profitably be exported; and (3) by disabling our merchants from bringing back on their return trips foreign cargoes in exchange for our products.

Nor will I say any thing as to the increase of the crime of smuggling under protection, a crime which has done incalculable harm to

honest dealers, particularly on the border, and a crime out of which some of the largest fortunes in the country have been made.

There are many who will admit the abstract justice of much that I have said who profess to believe that it will not do to disturb the tariff now. But for the protectionist that time never comes. When the depression in business was universal, they said you must not disturb the tariff now, because the times are so hard and there is so much suffering. Now, when business has improved, they say you must not interfere with the tariff, because times are good and you may bring suffering again. When the present tariff was first levied it was defended as a temporary expedient only, required as a necessity by war. Now that a quarter of a century nearly has passed by and peace has been restored for fifteen years, the advocates for protection are as determined to hold on to the government bounty as ever. If they are to be consulted upon the subject as to when the people shall have relief, the system will be perpetual.

It is said we must not disturb the tariff because we must raise so much revenue. I do not propose to disturb it to diminish revenue, but to increase it. The plan I propose will add one

fifth at least to the revenue of the country. It is protection I propose to get rid of, not revenue. It has been well said that revenue ceases where protection begins.

It is claimed that by taking away protection you will embarrass many industries by compelling them to close up and discharge their employés. I do not believe that the changing of the present tariff to a revenue tariff will produce this result. I believe that at once every manufacturer will make more in the diminished cost of production than he will lose in the taking away of protection. But if there should be danger to any industry I would provide against it in the law which changes the tariff so that if there should be any displacement of labor there will be no loss in consequence.

No more perfect illustration of the effect of free trade has been shown than in the history of the United States. Very much of our prosperity is due to the fact that the productions of each State can be sold in every other State without restriction. During the war the most potent argument for the cause of the Union was found in the apprehension that disunion meant restriction of commerce, and particularly the placing of the mouth of the Mississippi River

under foreign control. The war was fought, therefore, to maintain free trade, and the victory was the triumph of free trade. The Union every day exhibits the advantages of the system.

Are these due to the accident of a State being a member of that Union or to the beneficent principle of the system itself? What would prevent similar results following if, subject only to the necessities of government, it were extended to Mexico, to Canada, to South America, to the world? In such extension the United States have every thing to gain, nothing to lose. This country would soon become the supply house of the world. We will soon have cattle and harvests enough for all nations. Our cotton is everywhere in demand. It is again king. Its crown has been restored, and in all the markets of the world it waves its royal sceptre. Out of our coal and minerals can be manufactured every thing which human ingenuity can devise. Our gold and silver mines will supply the greater part of the precious metals for the use of the arts and trade.

With the opportunity of unrestricted exchange of these products, how limitless the horizon of our possibilities! Let American adventurousness and genius be free upon the

high seas, to go wherever they please and bring back whatever they please, and the oceans will swarm with American sails, and the land will laugh with the plenty within its borders. The trade of Tyre and Sidon, the far extending commerce of the Venetian republic, the wealth-producing traffic of the Netherlands, will be as dreams in contrast with the stupendous reality which American enterprise will develop in our own generation. Through the humanizing influence of the trade thus encouraged, I see nations become the friends of nations, and the causes of war disappear. I see the influence of the great republic in the amelioration of the condition of the poor and the oppressed in every land, and in the moderation of the arbitrariness of power. Upon the wings of free trade will be carried the seeds of free government, to be scattered everywhere to grow and ripen into harvests of free peoples in every nation under the sun.

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